

IN RE: PETITION FOR SPECIAL HEARING
N/S Hollins Lane, 1750' E of
the c/l of Falls Road
(1102 Hollins Lane)
9th Election District
4th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-313-SPH

The Lake Roland Protective Assoc. and
The Ruxton-Riderwood-Lake Roland *
Area Improvement Assoc., Inc. - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by The Lake Roland Protective Association, by Sarah F. Lord, President, and The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., by Patricia L. Zouck, President, seeking a determination that the use of the subject property by its owner, Leslie D. Brown, as a professional office for a psychotherapy practice, without benefit of a special exception and/or a special hearing to approve such use, is illegal. The subject property, which is zoned D.R.1, is located in the vicinity of Ruxton on the north side of Hollins Lane in close proximity to Lake Roland.

Appearing on behalf of the Petition were Sarah F. Lord and Patricia Zouck, who filed the instant Petition on behalf of the Lake Roland Protective Association and the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., respectively, and numerous other residents of the area, all of whom signed the Petitioner's Sign-In Sheet. The Petitioners were represented by Henry R. Lord, Esquire. Appearing on behalf of the property owner were Robert A. Hoffman and C. Carey Deeley, Attorneys at Law who appeared on behalf of Ms. Brown. Maria McMacken, a nearby resident of the area also attended the hearing. Ms. Brown, although subpoenaed to appear at the hearing, chose not to attend.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

At the preliminary stage of the hearing, Mr. Hoffman raised several jurisdictional motions, asserting, in essence, that this case was not properly before me and that proper advertising had not taken place. After considering the arguments made by all Counsel and reviewing the applicable law, I hereby find that Mr. Hoffman's Motions should be denied and a decision should be rendered on the merits of the request.

Testimony and evidence offered revealed that the subject property is located on the north side of Hollins Lane near the end of this street and is highlighted in Red on Petitioner's Exhibit 2, a zoning map of Baltimore County. Hollins Lane is a dead-end street on east of Falls Road in the Ruxton area of Baltimore County. The owner of the property, Leslie D. Brown, is alleged to be operating a psychotherapy practice thereon.

As noted above, many residents of the surrounding community attended the hearing on this matter. A great deal of testimony was offered by the residents who chose to testify. Testimony was taken from Nancy Horst, James Offutt, Jane Lawrence, Henry Holmes, Helga Morrow, William and Kay McConnell, Mary Carroll Rose, Neil Constantine, Sarah F. Lord and Timothy Fitts. Based upon the testimony and evidence offered by these residents, it was clear to this Deputy Zoning Commissioner that the owner of the subject property, Leslie D. Brown, has, on occasion, practiced psychotherapy from her home. The basis for this finding was the testimony offered by the residents as to the amount of traffic coming from the Brown property at half-hour intervals, as well as the fact that Ms. Brown admitted to these residents, as well as Timothy Fitts, the Zoning Inspector for this area of Baltimore County, that she was seeing patients in her home. As noted earlier in this opinion, Ms. Brown chose, for whatever reason, not to attend the hearing before me to offer any testimony or evidence to

the contrary. Furthermore, there was no testimony or evidence presented to indicate that a special exception or special hearing to approve such use of the subject property has ever been requested.

After due consideration of the facts and evidence presented, I find as fact that Ms. Brown has, on occasion, practiced psychotherapy from her residence. Furthermore, there has never been a special exception or any type of special hearing requested by this property owner or any prior owner, which would permit the practice of psychotherapy on the premises. Therefore, I find that Ms. Brown has practiced psychotherapy from the subject property without prior zoning approval and has, therefore, been in violation of the B.C.Z.R.

When carefully reading the special hearing relief requested by the Petitioners in the instant case, I have only been asked to make a finding that the subject property has been used as a professional office by the owner of the property for her psychotherapy practice. I have made such a finding and will so Order. All in attendance, including Counsel for Ms. Brown, agreed that the practice of psychotherapy on the subject property cannot take place without the benefit of a special exception or a special hearing being granted. Therefore, any further use of the subject property as a professional office by Ms. Brown must cease immediately.

The many residents who took time from their busy schedules to attend this two-day hearing before me were hoping that I, in my capacity as Deputy Zoning Commissioner, could force Ms. Brown to cease operating her psychotherapy practice at this location. I explained to Counsel for the Petitioners that I am without authority to prevent Ms. Brown from doing so. I can only answer the specific special hearing request before me. In order to prevent Ms. Brown from using her property for a professional

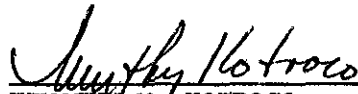
office, the Petitioners must request the Zoning Enforcement Division of the Office of Permits and Development Management (PDM) to intervene in this matter and prosecute Ms. Brown in the District Court of Maryland. The facts and evidence presented to me at the hearing clearly indicate that this case should have gone directly to District Court as a zoning violation case.

I cannot understand why the Petitioners brought this matter before the Zoning Commissioner's Office. While I have answered the question posed to me within the Petition filed, it does little to solve the problem that exists in this neighborhood. These residents should insist that Zoning Enforcement continue to investigate this matter and prosecute the owner in District Court in the event the operation of a professional office from the subject property continues.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of June, 1995 that the owner of the subject property has used the property as a professional office for a psychotherapy practice without benefit of a special exception or special hearing to approve such use, and as such, the Petition for Special Hearing is GRANTED; and,

IT IS FURTHER ORDERED that utilizing the property in this manner is illegal and must cease immediately.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

MICROFILMED

ORDER RECEIVED FOR FILING
Date 6/21/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1995

(410) 887-4386

Henry R. Lord, Esquire
6134 Barroll Road
Baltimore, Maryland 21209

RE: PETITION FOR SPECIAL HEARING
N/S Hollins Lane, 1750' E of the c/l of Falls Road
(1102 Hollins Lane)
9th Election District - 4th Councilmanic District
The Lake Roland Protective Assoc. and The Ruxton-Riderwood-Lake Roland
Area Improvement Assoc., Inc. - Petitioners
Case No. 95-313-SPH

Dear Mr. Lord:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Robert A. Hoffman, Esquire
C. Carey Deeley, Esquire
Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, Md. 21204

The Ruxton-Riderwood-Lake Roland Area Improvement Assoc., Inc.
P.O. Box 204, Riderwood, Md. 21139

People's Counsel

✓ File

MICROFILMED

#305



Petition for Special Hearing

95-313-SHA

to the Zoning Commissioner of Baltimore County

for the property located at 1102 Hollins Lane, 21209
which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned

hereby petition for a Special Hearing under Section 500.6 of the Zoning Regulations of Baltimore County,
to determine whether or not the Zoning Commissioner

shall find that the property known as 1102 Hollins Lane is being used as a
professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit
of special exception and/or special hearing being granted

Upon filing of this petition, we agree to and
are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Protestant
Sarah F. Lord, President
*THE LAKE ROLAND PROTECTIVE ASSOCIATION

Sarah F. Lord

Signature

Patricia L. Zouck, President
THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Patricia L. Zouck

Signature

Attorney for Petitioner

(Type or Print Name)

Signature

Phone No.

State Zipcode

*6134 Barroll Rd., Baltimore, MD 21209

Address Phone No.

City State Zipcode

Name, Address and phone number of representative to be contacted.

Sarah F. Lord
Name

6134 Barroll Rd., Baltimore, MD 21209
Address Phone No. 828-4355

ORDER RECEIVED FOR FILING

Date

APPROVED



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr or more
unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER _____

REVIEWED BY: MDK/JT DATE 3/8/95

Filed against / no abetting



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-313-SPH

Account: R 001-6150

Number

Date 3/8/95

Item: 305

Taken In By: JDX

The Lake Roland Protective Assoc.
The Ruxton-Ridgemoor-Lake Roland
Area Improv. Assoc.

Filing against
1102 Hollins Lane

030 - Special Hearing - \$ 50.00

no advertising - \$ 00.00

Total - \$ 50.00

MICROFILMED

03A03#0124MICHR
BA 0009#03AM03-00-95

450.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

march

~~May~~ 20, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-313-SPH (Item 305)

1102 Hollins Lane

N/S Hollins Lane, 1750' E of c/l Falls Road

9th Election District - 4th Councilmanic

Legal Owner(s): Leslie D. Brown

Petitioners/Protestants: The Lake Roland Protective Association & The Ruxton-Ridarwood-Lake Roland Area Improvement Association, Inc.

HEARING: TUESDAY, APRIL 11, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: The Lake Roland Protective Association/Sarah F. Lord
Leslie D. Brown, LCSW

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

WILLIAM



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 3, 1995

Ms. Sarah F. Lord, President
The Lake Roland Protective Association
6134 Barroll Road
Baltimore, Maryland 21209

RE: Item No.: 305
Case No.: 95-313-SPH
Petitioner: Lake Roland Assoc.
Owner: L. D. Brown, LCSW
1102 Hollins Lane

Dear Ms. Lord:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 30, 1995

SUBJECT: 1102 Hollins Lane

INFORMATION:

Item Number: 305

Petitioner: The Lake Roland Protective Association

Property Size: _____

Zoning: D.R.-1

Requested Action: Special Hearing

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of a Special Exception and/or Special Hearing being granted.

The subject request for a determination is somewhat unusual in that the hearing before the Zoning Commissioner will more than likely be more characteristic of a violation hearing. It is apparent through a review of Case No. C-95-1046 that the Zoning Enforcement section of ZADM believes it does not have enough evidence to proceed with a citation. However, it is the position of the community association that the property owners continue to violate the Zoning Regulations.

To comment on the instant Petition at this time would be tantamount to passing judgement without complete knowledge of the facts. The relevant issue before the Zoning Commissioner is whether the property is being used as a professional office; not if such use would be appropriate. Therefore, staff will withhold

comment on the appropriateness of a professional office at the subject location at this time.

Prepared by:

Jeffrey W. Long

Division Chief:

Darryl L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: March 27, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 27, 1995
Items 305, 306, 308, 310, 311, 312 and 313

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 20, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 304, 305, 306, 307,
308, 310, 311, 312 AND 313. ?

RECEIVED

MAR 24 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



TO: ZADM

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 3/20/95

DATE: 3/20/95

Item #'s: 305 ✓
306
308
311
312

LETTY2/DEPRM/TXTSBP



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-21-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$ 305 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

4/11
95-8135 PH

BALTIMORE COUNTY, MARYLAND

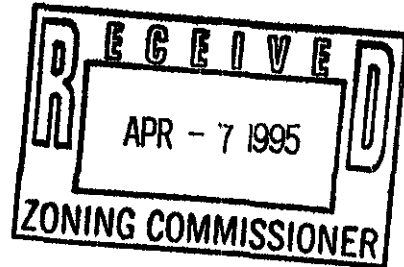
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 6, 1995

SUBJECT: 1102 Hollins Lane



INFORMATION:

Item Number: 305 AMENDED COMMENT
Petitioner: The Lake Roland Protective Association
Property Size: _____
Zoning: D.R.-1
Requested Action: Special Hearing
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of a Special Exception and/or Special Hearing being granted.

The subject request for a determination is somewhat unusual in that the hearing before the Zoning Commissioner will more than likely be more characteristic of a violation hearing. A review of Case No. C-95-1046 reveals that the Zoning Enforcement section of ZADM is continuing to investigate the alleged violation. Based on personal observation, it is the position of the members of the community association that the property owners are in violation of the Baltimore County Zoning Regulations.

To comment on the instant Petition at this time would be tantamount to passing judgement without complete knowledge of the facts. The relevant issue before the

Zoning Commissioner is whether the property is being used as a professional office; not if such use would be appropriate. Therefore, staff will withhold comment on the appropriateness of a professional office at the subject location at this time.

Prepared by:

Jeffrey W. Long

Division Chief:

Edmund Kern

PK/JL

MICROFILMED

10

#304 -- JRA

1. No address, zip code, or telephone number for legal owner.
2. No authorization for person signing for legal owner.
3. Review information on petition form not completed.

#305 -- MJK

1. Need attorney - improvement association is incorporated.

#307 -- JCM

1. No telephone number for legal owner.

#309 -- MJK

1. No telephone number for legal owner.

WILLIAM L. BAKER

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 8, 1995

TO: File

FROM: Mitchell J. Kellman
Planner II, ZADM

SUBJECT: Item #305
1102 Hollins Lane

This petition was filed against the property owner of 1102 Hollins Lane. There is no advertising; however, the owner of the subject property should be notified of the hearing date along with the protestants.

Also, there was not enough information given so that the property on the 200 scale cannot be outlined (not within a recorded subdivision).

MJK:scj

100-305-1-1

IN RE: ~~PERMITTING~~ SPECIAL
HEARING ON ILLEGAL PROFESSIONAL
OFFICE OF PSYCHOTHERAPIST,
LESLIE D. BROWN, LCSW, IN
D.R.-1 ZONE, WITHOUT
A SPECIAL EXCEPTION

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-313-SPH (Item 305)

* * * * *

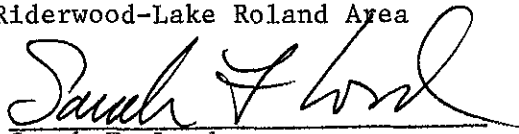
SUBPOENA AND SUBPOENA DUCES TECUM

TO: LESLIE D. BROWN, LCSW
AND 1102 Hollins Lane
SERVE Baltimore, MD 21209
ON

You are hereby summoned and commanded to be and appear personally
before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore
County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, MD 21204
at 2:00 p.m.

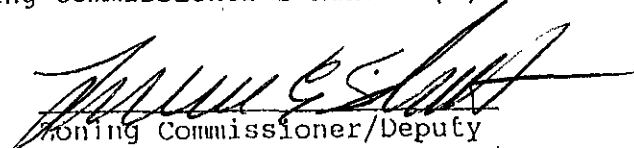
and to bring [see attached list of subpoenaed documents and records]

on the 11th day of APRIL, 1995, regarding the above captioned
and producing documents and records
case, for the purpose of testifying at the request of The Lake Roland
Protective Association, Inc. and of The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.


Sarah F. Lord

~~XXXXX Sheriff~~ Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).


Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: April 6, 1995

LIST OF SUBPOENAED DOCUMENTS AND RECORDS

1. Copy of your professional office space lease, designating your office suite, at 1190 West Northern Parkway, Baltimore, Maryland 21210, effective on or about November 1, 1994.
2. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1102 Hollins Lane during the period August 1, 1994 to and including April 11, 1995.
3. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at The Colonnade, 4 West University Parkway, Baltimore, Maryland 21210 during the period May 15, 1994 through October 31, 1995.
4. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1190 West Northern Parkway, or at any professional office other than 1102 Hollins Lane during the period November 1, 1994 to and including April 11, 1995.
5. Copy of the O'Connor, Piper & Flynn brochure advertising 1102 Hollins Lane as a place perfect for a small office as you had planned.
6. Copy of all architect's plans, drawings, and elevations prepared at your direction for professional office renovations to the separate building at 1102 Hollins Lane. Include copies of all bills from all architect and all contractors of any sort performing that work as well as copies of all permits of any sort applied for and received from the County.
7. Copies of all monthly telephone bills for your office telephones at 410-532-2696 and 410-583-0458.
8. Copy of your dated notification to the State Board of Social Work Examiners informing it of your change in professional office address as of November 1, 1994.

April 6, 1995

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
1102 Hollins Lane, N/S Hollins Lane,	*	ZONING COMMISSIONER
1750' E of c/l Falls Road, 9th	*	OF BALTIMORE COUNTY
Election District, 4th Councilmanic	*	
Legal Owner(s): Leslie D. Brown	*	
	*	CASE NO. 95-313-SPH
The Lake Roland Protective Association &	*	
The Ruxton-Riderwood-Lake Roland Area	*	
Improvement Association, Inc.	*	
Petitioners	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to Sarah F. Lord, The Lake Roland Protective Association & The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., 6134 Barroll Road, Baltimore, MD 21209, Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

2/29/95

THE LAKE ROLAND PROTECTIVE ASSOCIATION #305

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

The Honorable Lawrence E. Schmidt
Zoning Commissioner
Baltimore County Office of Zoning Administration
400 Washington Avenue, Room 112
Old Courthouse
Towson, Maryland 21204

Dear Commissioner Schmidt:

On January 17, 1995, Zoning Inspector Timothy Fitts advised Leslie D. Brown, LCSW, that she was in "apparent violation" of "Sections 101 'Home Occupation;' 102.1; 1B01.1A; 1B01.1.C.9B of the Baltimore County Zoning Regulations."

Inspector Fitts advised Mrs. Brown and her husband C. Christopher Brown, that they must "cease operation of a professional office or petition for a special exception for such use . . . [which office] must be established in the same building as that serving as the professional person's primary residence.

Inspector Fitts further noted that Mrs. Brown's "correction should be completed by February 17, 1995, or a citation may be issued . . . imposing monetary fines of \$200 per day, per violation . . ."

This Association hereby petitions for a Special Hearing before the Zoning Commissioner regarding this matter (C-05-1046). We think it appropriate that fines of \$200 per day per violation be imposed on Leslie Brown, beginning October 31, 1994 (when she knowingly and improperly initiated her psychotherapy practice at her residence, 1102 Hollins Lane).

We unhappily note that Mrs. Brown:

1) continued unabated and still continues to treat her psychotherapy patients daily at 1102 Hollins Lane, zoned DR.1;

THE LAKE ROLAND PROTECTIVE ASSOCIATION

Mr. Lawrence E. Schmidt, Esquire
February 24, 1995
Page 2

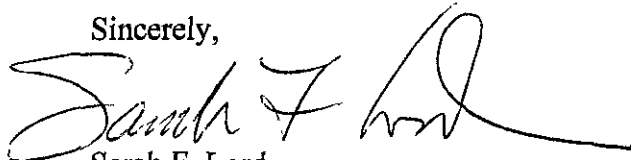
2) sees these patients in her recently established office building (formerly a garage) across the driveway from and entirely separate from her dwelling;

3) refuses to seek a special exception, as requested by Baltimore County (and previously by this Association);

4) was given until February 17, 1995, to comply with Baltimore County's pertinent zoning regulations, but instead continues to flout them.

As Mrs. Brown's violations have been permitted to occur for much too long – for four unpleasant months now – we respectfully request that the hearing date be scheduled at your earliest convenience. It is well past time to put an end to the increased trash on Hollins Lane as well as the hazardous increase in traffic, inappropriately commercial and fast paced, on this narrow residential lane. That the Browns cavalierly defy the zoning regulations, whereas the rest of the neighborhood is careful to abide by them, is a matter of considerable anguish in the community.

Sincerely,



Sarah F. Lord
President
(410) 828-4355

SL/r16993
Enclosures

cc: Honorable C. A. Dutch Ruppertsberger, III
Honorable Douglas B. Riley
✓ Arnold E. Jablon, Esquire
James H. Thompson
Timothy L. Fitts
Patricia Zouck

305

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

Arnold E. Jablon, Esquire
Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

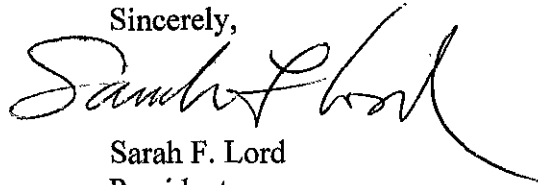
Dear Director Jablon:

Following Zoning Enforcement's Zoning Violation Correction Notice of 1/17/95 to Leslie D. Brown, LCSW (Case C-95-1046, Inspector Timothy Fitts) and Mrs. Brown's refusal to comply, our association is compelled to petition for a special hearing before the Zoning Commissioner.

We would be most grateful for your office's assistance in this matter. We hope, given the facts of the case and Mrs. Brown's defiance of Baltimore County Zoning Regulations, that you will urge the Commissioner to grant our community association, represented by counsel, a hearing. We are hoping for a hearing at everyone's earliest possible convenience.

Any assistance you can render in the preparation of this case we will very much appreciate.

Sincerely,



Sarah F. Lord
President
(410) 828-4355

SL/r16993

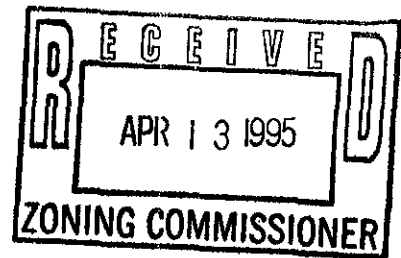
THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

April 10, 1995

Honorable Douglas B. Riley
County Councilman, 4th District
Old Court House
Towson, Maryland 21204

Dear Doug:



Our thanks to your office for so much assistance with community matters. The new "Barroll Road" sign is a great help; it was installed last week. Our association will likely be putting in an order with the Tree-mendous program Tuesday, for Robert E. Lee Park-side plantings.

Also, tomorrow afternoon we get our long-awaited hearing before Deputy Zoning Commissioner Timothy M. Kotroco, regarding the busy psychotherapy practice set up almost six months ago now by a recent arrival to the neighborhood, Leslie D. Brown, LCSW, in the separate "office building" she has created at 1102 Hollins Lane, zoned DR-1.

As you are aware, her practice began in earnest in our neighborhood on Monday, October 31, despite repeated entreaties to her not to bring her business into our strictly residential community. At a well-attended community meeting on the evening of November 7, the neighborhood politely asked Mrs. Brown to stop seeing her patients at her residence, to which Mrs. Brown replied that she would not stop; she intended to continue seeing patients on her property.

As you informed us, the Zoning Enforcement Inspector for our area is Timothy Fitts. We were initially frustrated several months ago that Mr. Fitts did little to focus upon and investigate Mrs. Brown's violations, and seemed to take her at her word when she told him: 1) that her professional office was in the Belvedere Towers at Northern Parkway and Falls Road; 2) that she was "volunteering" her time pro bono with just

MICROFILMED

Honorable Douglas B. Riley
April 10, 1995
Page 2

occasional patients in her home; and 3) that she was not treating even these patients in the separate office building but rather in her home.

However, last Thursday April 6, Mr. Fitts, after further encouragement, witnessed and documented for himself: 1) patient car parked outside Mrs. Brown's office building; 2) the arrival of another patient's car; and 3) the exit of that patient from his car (and departure of the first) and his entrance into the "office building." And, our testimony on Tuesday will further refute Mrs. Brown's misleading characterization of her practice at 1102 Hollins Lane.

Mrs. Brown was issued a Zoning Enforcement Citation January 17, requiring that she comply with Baltimore County's pertinent zoning regulations by February 17. She did nothing of the sort and, instead, continues to flout them. Her psychotherapy practice continues unabated at 1102 Hollins Lane. We expect this will be quite clear by the end of tomorrow's hearing before Commissioner Kotroco. We trust this hearing will bring a speedy end to Mrs. Brown's cavalier violations, which appalls and causes considerable anguish in our small, cohesive community.

Meantime, our thanks to you and your very able assistant Lisa Kier for your help with County matters.

Sincerely,



Sarah F. Lord
President

HRL/r19505

cc: ✓ Honorable Timothy M. Kotroco

FACSIMILE COVER SHEET

To: Honorable Timothy M. Kotroco

Company: Deputy Zoning Commissioner

Phone: 887-4386

Fax: 887-3468

From: Sarah F. Lord

Company: Lake Roland Protective Association

Phone: 828-4355

Fax:

Date: April 10, 1995

Pages including this
cover page: 3

Contents:

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel is subject to the attorney-client or work product privilege. If you are not the intended recipient, you are notified that disclosing, copying, distributing and using the information in this message is intended only for the use of the individual or entity named above. If you believe this message is not the intended recipient, or the employee or agent of one, please do not deliver it to the intended recipient, you are hereby notified that any unauthorized distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or e-mail return the original message to us at the above address via the U. S. Postal Service.

[Handwritten signature]

file

PIPER & MARBURY
L.L.P.

CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3018

WASHINGTON
NEW YORK
PHILADELPHIA
EASTON
LONDON

HENRY R. LORD
(410) 576-1602
FAX: (410) 576-5018

410-539-2530
FAX: 410-539-0489

June 19, 1995

Honorable Timothy M. Kotroco
Deputy Zoning Commissioner
Old Court House
Room 112
400 Washington Avenue
Towson, MD 21204

Leslie D. Brown, 1102 Hollins Lane
9th Election District—4th Councilmanic District
Case No. 95-313-SPH (Item 305)
Petitioners/Protestants: Lake Roland Protective Association ("LRPA")/
Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. ("RRLRAIA")

Dear Commissioner Kotroco:

I am writing to you, as counsel for the Petitioners/Protestants, in furtherance of the hearings held before you on April 11 and May 24. The Notice of Hearing, dated March 20, signed on behalf of the Director of the Office of Zoning Administration and Development Management ("OZADM") stated that the Zoning Commissioner "by authority of the Zoning Act and Regulations of Baltimore County" would conduct on April 11 at 2:00 p.m.:

"[a] Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted."

The Notice issued upon the Petition for a Special Hearing before the Zoning Commissioner made to the Director by Petitioners/Protestants' letter of March 3 and by

[Handwritten signature]

Honorable Timothy M. Kotroco
June 19, 1995
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their letter of the same date to Zoning Commissioner Schmidt (Petitioners' Exhibits 29 and 31; also Exhibit 25, the March 8 \$50 "special hearing" docketing receipt).

I.

Lead counsel for, the property owner, Ms. Brown (Robert A. Hoffman, Esquire supported by C. Carey Deeley, Jr., Esquire both of the Towson office of Venable, Baetjer and Howard) asserted at the beginning of the April 11 hearing that neither §§ 500.6 nor 500.7 of the Baltimore County Zoning Regulations provided authority to the Zoning Commissioner to conduct this hearing: thus the Commissioner was without jurisdiction. The argument under §500.6, I think, is that while the Commissioner has authority to initiate such a hearing on his own, he has none to do so at the request of either a neighborhood protective organization, such as LRPA and RRLRAIA, or for that matter at the request of OZADM. A reading of the language of §500.6 makes it abundantly clear that no such conclusion can be drawn. The affected parties were mailed copies of the March 20 Notice and that Notice specified that the Commissioner would determine whether or not Ms. Brown was in violation of or in non-compliance with the Zoning Regulations. It is obvious that the Zoning Commissioner can and should take this action when alleged violations are brought to his attention, either by the zoning enforcement office or by watchdog organizations such as the two involved here.

II.

The other legal challenge put forth by Ms. Brown's lead counsel is that the Petitioners/Protestants' April 6 subpoena served that day upon Ms. Brown to compel her testimony and to compel eight categories of documents and records to be produced at the April 11 hearing (Petitioners' Exhibit 24) was invalid and unenforceable for several reasons. First, Mr. Hoffman sought to assert for Ms. Brown her Fifth Amendment privilege against self-incrimination, with respect to both her testimony and her documents and records. Mr. Hoffman's contention, I think, is that although the Special Hearing proceeding before the Zoning Commissioner is, of course, entirely civil in nature and the Commissioner is without authority to levy even civil fines or penalties, Ms. Brown's testimony and documents and records before the Commissioners could lead to a prosecution, criminal in nature, at a later date, initiated by Baltimore County.

Mr. Hoffman cites no statute or ordinance under which such action might take place. My review of the Baltimore County Code establishes that §26-119 provides that "[a]ny violation of the zoning regulations or policies, rules or regulations interpreting the

Honorable Timothy M. Kotroco
June 19, 1995
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zoning regulations or of any final written order made or adopted pursuant to [the Zoning Title] shall be a misdemeanor." §1-8 provides a blanket sanction "where no specific penalty is provided therefor" of \$200 a day or imprisonment for not more than 90 days. I am not aware of any criminal action ever having been brought under §26-119, however.

The ordinary sanctions are civil. §26-121 authorizes the Office of Planning and Zoning to assess a civil penalty of \$200 for each violation of the Zoning Regulations as interpreted by the Zoning Commissioner, with each day of violation considered a separate violation. There is a carefully constructed procedure for collection of the civil penalties by adjudication in the District Court on the Zoning Commissioner's citation for violation. The County Attorney is directed to prosecute such violations in Court. §§ 26-120 and 26-121(h) provide that the Zoning Commissioner and/or any affected persons may seek an injunction against the illegal use of property and that the County may institute "any appropriate action or proceeding at law or in equity for the enforcement of zoning violations or the correction of such violations"

There are number of problems with the attempted Fifth Amendment assertion of Ms. Brown's counsel. First, the law requires that a witness subpoenaed to testify as Ms. Brown was, must appear in the proceeding and assert any perceived Fifth Amendment right in response to specific questions. It is for the finder of fact and law, in this instance you, to determine whether an answer to the proposed question would in fact implicate Ms. Brown's Fifth Amendment rights. Second, it is obviously improper, not to say disrespectful, to simply ignore a timely issued and served subpoena. If Mr. Hoffman indeed had any legitimate objection to either aspect of the subpoena, he should have, promptly before the hearing, brought it to our attention, requesting that the subpoena be quashed. Not only did that not happen before April 11, but in the more than two months since then, there has never been a request of any sort to have the subpoena quashed. Ms. Brown appeared at neither hearing and offered no reason for not appearing. Third, Mr. Hoffman asserted that because the subpoena for testimony and documents and records was served on Ms. Brown five days before the April 11 hearing, there was no requirement that she comply in any respect because the applicable rule requires 30 days. In fact, as the subpoena itself states just above Commissioner Schmidt's signature, it is issued in accordance with "Zoning Commissioner's Rule IV(c)." That rule sets no time limit in advance of hearing for the service of either witness or documents or records subpoenas. Sub-paragraph (3) of the Rule requires five days notice for State or County officials and employees, but there is no time constraint at all with respect to the testimony of zoning violators such as Ms. Brown. Even if there were, of course, Ms. Brown had been aware

Honorable Timothy M. Kotroco
June 19, 1995
Page 4

of the hearing date since on or shortly after March 20, and the documents and records sought are readily available business records. Moreover, Ms. Brown was equally casual with respect to the May 24 hearing, held seven weeks after the subpoena was served on her: neither appearing nor producing documents and records.

Finally, there is an important inference available to you in formulating your findings of fact and conclusions of law in ruling upon the subject of this hearing. A finder of fact in a civil matter, including an administrative proceeding such as this one, may conclude that Ms. Brown's assertion, even if it could be raised indirectly through her attorney, of her Fifth Amendment right to remain silent is "evidence of [her] acquiescence" that she was using her property at 1102 Hollins Lane "as a professional office . . . without benefit of special exception and/or special hearing being granted." The Supreme Court of the United States has stated that in civil proceedings involving Fifth Amendment assertions, "silence is often evidence of the most persuasive character" and "that in proper circumstances silence in the face of accusation is a relevant fact not barred from evidence" Baxter v. Palmigiano, 425 U.S. 308 (1976); 8 Wigmore, Evidence (McNaughton Rev. 1961) §2272 at p. 439 (fn. 14); Heidt, "The Conjurer's Circle—The Fifth Amendment Privilege in Civil Cases," 91 Yale L.J. 1062 et seq. (1982).

The attorneys for Ms. Brown presented no testimony or exhibits when given an opportunity to put on her case. The only non-Petitioners' witness, called by you, was Maria McMackin who stated, "I believe what Leslie tells me, that she does not see patients" at her residence. Ms. McMackin also stated that she had visited, accompanied by Ms. Brown prior to the April 11 hearing, what she believed to be another professional office of Ms. Brown at the Belvedere Towers, at Northern Parkway and Falls Road. She stated that she at that time saw there a sign identifying Ms. Brown by name on the door of the offices of one Judith Sheagren. Obviously, Ms. McMackin is mistaken in her recollection because Petitioners' Exhibit 6H, a photograph of the door of Ms. Sheagren's office at Suite 112 of the Belvedere Towers, taken April 6 just before the April 11 hearing, establishes clearly that there was no such sign in place. Ms. McMackin's testimony needs to be given no probative weight because it merely parrots an alleged and obviously self-serving hearsay statement of Ms. Brown herself, who has in turn asserted her right not to testify. See also Paragraphs 1, 3 and 4 of the April 6 subpoena List, seeking documents and records concerning a Belvedere Towers office, in any.

Honorable Timothy M. Kotroco
June 19, 1995
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III.

Mr. Hoffman raised for the first time on May 5, in a meeting in your offices, that the subpoena violated the privacy rights of Ms. Brown's patients in her home psychotherapy practice. As with the Fifth Amendment argument, Mr. Hoffman cited nothing to support his position, and I am not aware of any support for it. More fundamentally, Paragraph 2 of the List of Subpoenaed Documents and Records, found by you to be an appropriately subpoenaed category of records, requires "by date and hour, but not by patient name of [Ms. Brown's] schedule of all professional patients seen by [her] at [her] office at 1102 Hollins Lane during the period August 1, 1994 to and including" the hearing dates. Emphasis added. Obviously those records are readily available from Ms. Brown's professional appointment calendar and from her billing records. Nonetheless the subpoena of this material was ignored by Ms. Brown at both the April 11 and the May 24 hearings. For the record, I believe that the other seven paragraphs of subpoenaed documents and records should have been produced by Ms. Brown, just as you found the Paragraph 2 records should have been. Once again, there was never at any time a formal or informal request from Mr. Hoffman to quash those items and there seems to be no provision inferable from Zoning Commissioner's Rule IV.C which would permit categories of documents and records to be excluded from production, once the subpoena has been executed, as this was, by the Zoning Commissioner. Production and admissibility are obviously two different things.

Taken together, the testimony of the 11 witnesses and the 33 exhibits for the Protestants/Petitioners, particularly the testimony as to (a) patients by Kathryn McConnell, Sarah Lord, and Tim Fitts, as to (b) otherwise unidentifiable increased traffic of Carol Rose, (c) Petitioners' Exhibits 11 and 28 photographs of the entirely separate house and professional office at 1102 Hollins Lane and of the automobile and presumed patient activity there, (d) Ms. McConnell's typed notes (Petitioners' Exhibits 7 and 26) and Mr. Fitts' April 6 report (Petitioners' Exhibit 27) of the automobile and presumed patient activity there, and (e) Ms. Brown's statement to the community at the meeting held on Monday evening November 7 that she would not relent from her decision to see patients at 1102 Hollins Lane, seem to clearly establish Ms. Brown's illegal professional

Honorable Timothy M. Kotroco
June 19, 1995
Page 6

office use at 1102 Hollins Lane, in the DR-1 Zone. See 1B01.1.C.9(b) of BCZR and §101 of Zoning Commissioner's Policy Manual (1992 ed.) at pp. 1-18 et seq.

Please let me know if there is any further information you need before resolving this case.

Respectfully,

A handwritten signature in cursive script, appearing to read "Henry R. Lord".

Henry R. Lord

HRL/r23078

cc: Robert A. Hoffman
C. Carey Deeley, Jr.
Peter Max Zimmerman
Laurie S. Long
Nancy W. Horst
Henry Homes, III
Sarah Fenno Lord

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

<u>NAME</u>	<u>ADDRESS</u>
SARAH F. LORD	6134 Barroll Rd 21209
Pres. Lake Roland Protective Assn	828-4355
ROBERT MACHT	6140 BARROLL Rd. 21209
	583-1631
Pamela Macht	6140 Barroll Rd. 21209 583-1631
James Offutt	1111 Hollins Lane
Niel Constantine	1117 Hollins Lane 21209
DORRY TOOKE	1115 HOLLINS LANE 21209
F. LEE ANTHONY	1110 HOLLINS LA. 21209
Maria McMacken	1101 Hollins Lane 21209
Quaneta Greenough	1300 Hollins Lane 21209
William B Greenough	1300 Hollins Lane 21209
M. Carol Rose (Palmer Household)	1113 Hollins Lane 21209
Kathryn B. McConnell	6141 Barroll Rd. 21209
CATHERINE PAPANTONIO	1100 HOLLINS LN 21209
Henry Jones III	3 Waterbury Ct 21212
Nancy Worden Horst	789 Ellenham Ave. 21204
Louise Hildreth	912 Rolandvue Rd. 21204
LAURIE S. LONG	R-R-L-R AIA P.O. BOX 204 RIDERWOOD, MD 21139
Emma G. Bright	1416 Gardman Ave 21209
GLADYS G. REED	1415 GARDMAN AVE 21209
Valerie M. Brown	6209 Pleasant Ln Ave 21209-2123
JANE S.B. LAWRENCE	6137 BARROLL Rd. 21209
Helga M. Morrow	1203 Hollins Lane 21209
Richard Morrow	1203 Hollins Lane 21209
Henry R Lord	6134 Barroll Rd 21209

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JAMES LAWRENCE III
Patrick Engster
Hannah Lord
Sally Anthony
WILLIAM MCCONNELL
Sarah Tooke

6137 BARROLL RD. 21209
6134 Barroll Road
6134 Barroll Rd.
1110 Hollins Lane 21209
6141 BARROLL RD.
1115 Hollins Lane

NOT RECORDED

Respondent

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

210 Allegheny Ave 21204

C Capen Deley

210 Allegheny Ave 21204

Maria Mc Macken

1101 Hollins Lane 21204

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

RESOLVED: That at the annual meeting of the
RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION
held on May 25,, 1994, it was decided by the
Association that responsibility for review and action on all zoning matters for the period
May, 1994 through May 1995 be placed in the (Board of Directors) (Zoning
Committee) consisting of the following members:

Patricia L. Zouck
Nancy W. Horst
Laurie S. Long

John Dahne
Henry Homes, III
George Grose

AS WITNESS OUR HAND AND SEAL THIS 27 day of
MARCH, 1995.

Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.

ATTEST:

Judith M. Whipple
Secretary

Patricia L. Zouck
President

MICROFILMED

PETITIONER'S
EXHIBIT 1A

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member
of the Board of Directors and/or Zoning Committee of the Ruxton-Riderwood-Lake
Roland Area Improvement, Association.

Nancy Worden Horst

The Ruxton-Riderwood-Lake Roland Area
Improvement _____ Association

ATTEST:

Junia M. Wrege
Secretary

Patricia L. Zuck
President

DATE: 3-27-95

1B

RECORDED

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member
of the Board of Directors and/or Zoning Committee of the Ruxton-Riderwood-Lake
Roland Area Improvement, Association.

Henry Homes, III

The Ruxton-Riderwood-Lake Roland Area
Improvement _____ Association

ATTEST:

Junia M. Wright
Secretary

Patricia L. Zuck
President

DATE: 3-27-95

1C

Lake Roland Protective Association
6141 Barroll Road
Baltimore, Maryland 21209

Petitioner's Ex #4

January 11, 1991



Ms. Lelia Griswold
1102 Hollins Lane
Baltimore, Maryland 21209

Dear Lelia:

Since the 1992 Baltimore County Comprehensive Zoning Process is about to occur, it is necessary for the Association to prepare for anticipated requests from property owners such as Mrs. Barney to rezone from residential use to commercial.

As president of the Lake Roland Protective Association I am obliged to draw your attention again to the circumstance that the location of your business at 1102 Hollins Lane in a residential zone is in violation of the Baltimore County Zoning law and regulations.

Since you have been a long time member of our Association, I am confident that you are aware of the residential character of the place. The reason that the residents of the area, which is part of the Ruxton-Riderwood-Lake Roland Area Association, live here is their choice to reside in a strictly residential place. This is why the undersigned moved here, forty five years ago.

As already alluded to the primary consideration for calling this matter to your attention now is that the Baltimore County Comprehensive Zoning Process for 1992 starts soon. It is necessary that any current precedent setting violations of the code need to be remedied.

From our conversations I assumed that you were searching for a suitably zoned location for the Center. The attachment to this letter indicates that you have changed your intention.

I hope and am confident that you will resume your previously stated intention of finding a location for your activity in a commercially zoned place.

Sincerely yours,

Edward Davens
President

Attachment

"attached to letter"



The Relationship Center

*Relationship Healing is accepting and loving
our real self by releasing false self-images.*

Relationship Healing for Individuals, Couples, Families and Groups

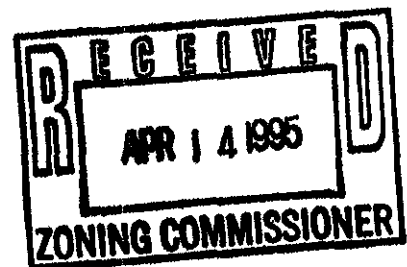
Individual and Couples sessions
by appointment and
Ongoing Addictive Relationship Groups
Monthly Workshops

*Kripalu Yoga for stress reduction
relaxation and inner peace*
Tuesdays: 8:30 am
Fridays 5:30 pm
Saturdays 9:30 am

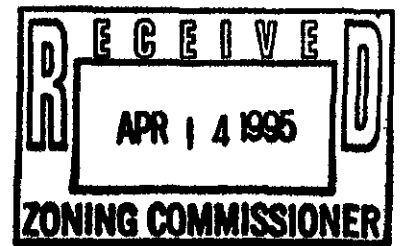
Lelia Griswold, M.Ed., LCSW

Call 301/823-7685
1102 Hollins Lane, Baltimore
For healing all of our relations!

BALTIMORE RESOURCES —WINTER 1990—31



Petitioner's Ex #5



To whom it may concern:

The attached written testimony pertains to the zoning issue at 1102 Hollins Lane in Baltimore County. Most of this text was read at the hearing on April 11, 1995, however, certain portions were deleted in the interest of time and relevance.

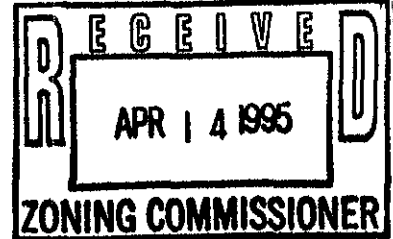
Jane Lawrence
6137 Barroll Road
Baltimore, MD 21209

THIS MATERIAL PERTAINS TO THE
ZONING ISSUE AT 1102 HOLLINS LANE.
(HEARING: 4/11/95). COMMISSIONER KOTROCO
ASKED) THAT I SUBMIT TWO ITEMS
FROM MY TESTIMONY. ENCLOSED) ARE
THOSE TWO ITEMS -

MICROFILMED

WITH MANY THANKS -

JANE S.B. LAWRENCE



I would like to address a single important issue, namely that during the 27 years we have lived in this area, our small community association, The Lake Roland Protective, has really been guided by one principle, and one principle only: preservation of the residential quality of the immediate Barroll Road, Hollins Lane and Falls Road neighborhood.

A brief look at the last 25 years or so confirms this. For example, on two occasions, I believe, the owner of the property on the south corner of Hollins Lane and Falls Road, has sought commercial zoning. Active opposition, in the form of letters and testimony, averted this. The owner of the property on the opposite corner of Hollins Lane wished at one point to open an antique shop, requiring, I believe, a special exception. On learning of the long range zoning ramifications, he gracefully sought another location. The owner of the property at 1307 Hollins Lane rented his tenant house to a small company for use as an office. This actually produced little or no traffic, but again, on hearing from the Association, and realizing the long range ramifications, he arranged for the tenant to leave. Further afield on adjacent Falls Road, we have taken position after position: writing letters, setting up meetings, attending hearings, all to uphold, maintain and protect the residential quality of the area. In all of these instances, we were supported by the Ruxton, Riderwood Association.

In the Brown's case, the story began when the former owner of the property, also a psychotherapist, initiated an active practice at the site in question. Both the president of The Lake Roland Protective, Edward Davens, and the president of the Ruxton, Riderwood Association wrote letters to the owner opposing this practice (please refer to attached letters). Dialogue continued in the form of meetings, letters and eventually the hiring of an attorney. Although the owner did reduce the scale of her practice, neither she nor her subsequent short term tenant, seemed to accept the view that commercial usage of this type is in violation and sets a dangerous precedent.

On learning that the former owner had made the decision to sell her property, Dr. Davens assumed that the problem had been solved, never anticipating that the purchaser would initiate a similar set of circumstances.

Currently we are, once again, opposing, in strongest terms, the inappropriate creation of an active psychotherapy practice at 1102 Hollins Lane. And, once again, we are defending the common sense principle which has guided us to date: namely the preservation of the residential character of the area.

Jane S.B. Lawrence
6137 Barroll Road
Baltimore, MD 21209

7

Cars Observed at Leslie Brown's Office

Mondays: I have noticed cars early (at around 8:00), changing between 8:30 and 8:45, then the next one coming at around 9:30 to 9:45 and so on until about 11:30. Activity resumes mid-afternoon and continues through early evening. The last car we noticed yesterday was a red hatchback with Maryland tags 704APL.

Tuesdays: There are different cars from 8:00 through about 11:00. I have repeatedly seen white Volvo sedan, and I have also encountered this car on Hollins Lane. On January 10, 1995, this car was seen at 10:40 A.M. Today (April 11, 1995), I saw a dark blue sedan leave at 8:45 and a dark green or black sedan with tags AYY 855 take its place. An aqua Ford Taurus Stationwagon was there next, with tags 613ASX.

Wednesdays: There is very little activity on Wednesdays, although on April 5, the aquamarine Taurus station wagon was there at around 3:00. There was also a black sedan that day in the next time slot.

Thursday: This is a very busy day. The earliest car is a dark sedan at 7:45, followed by another dark sedan at 8:45. The third car is a gray Toyota pickup truck with a male driver at 9:45. At 10:45, there is a black or dark blue sedan with tags 684ANS. The white Volvo sedan is there around 3:00, a red Volvo with tags ASN396 at 4:00, and the red hatchback follows at 5:00.

Friday: The earliest car is a white Toyota Camry with a female driver at around 8:00, followed by another white Toyota with tags ALT804. Cars seen in the afternoon are a tan Jeep Cherokee at 1:00 and a black Hatchback at 3:30.

Every person I saw entering or exiting a building was coming from the office, not the main residence.

**PETITIONER'S
EXHIBIT 7**

Observations by Kathryn B. McConnell
January 10, 1995-April 11, 1995

RECEIVED

School of Hygiene and Public Health

Department of International Health
621 N. Washington Street
Baltimore MD 21205
(410) 955-3928 / FAX (410) 614-1419 or (410) 614-2353
Telex 7102340022 PUB HYG BAL
Cable Address PUB HYG
E-mail: rmorrow@phnet.sph.jhu.edu

Division of Health Systems

Richard H. Morrow, M.D.
Professor and Director

1201 Hollins Lane
Baltimore, 21209
April 10, 1995

Mrs. Sarah Lord
President Ruxton-Riderwood-Lake Roland
Protective Association
6134 Barroll Rd.
Baltimore, 21209

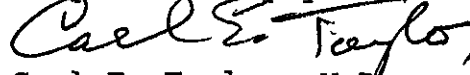
Dear Sarah,

Thank you for informing Mary and me of the court house hearings. Unfortunately we cannot attend because of Mary's hospitalization.

We share in the strong feelings expressed by members of our neighborhood that it would be totally wrong and contrary to the wishes of almost all of the people living in this area if there were an exception made in the zoning to permit Dr. Leslie D. Brown to conduct private practice out of her home at 1102 Hollins Lane. Any business activity would open the area to other professionals aslo opening offices and the whole character of the neighborhood would change. This includes any subterfuge such as saying that patients are being seen without charging fees.

Thank you for representing us in this matter.

Very sincerely yours,



Carl E. Taylor M.D.
Professor Emeritus

PETITIONER'S
EXHIBIT 12

Sarah Jord
President
Lake Roland Protective Association

April 7, 1995

Dear Sarah,

There is no doubt— 1102 Hollis Lane is being used constantly as a professional office. Our home is located to allow full visibility of the lane, and we witness daily unfamiliar cars coming and going. Many exceed the speed limit for safety on such a narrow, quiet road. More than often, the cars arrive and leave in succession indicating to us that a group of people have met at the location.

These traffic patterns occur throughout the day and evening.

The residents of Hollis Lane uphold and respect the treasured atmosphere of this residential community and maintain their professional offices elsewhere.

Jeannie Brown is abusing and is in violation of the zoning laws of this area.

There is no reason that we can think of that she should be granted a special exception in the future. This property was sold to her with an explanation of zoning restrictions.

PETITIONER'S

EXHIBIT

S. Anthony
Lee Beebe
1110 Hollis Lane

mailed 11-2
recd. 11-5

1102 Hollins Lane
October 29, 1994

Dear Neighbors:

This weekend Chris and I met with Sarah Lord, representing the local community association, at the office of Herbert Davis, our realtor. The meeting was to address the fact that I have planned for a small, individual psychotherapy practice at my home.

When Chris and I contracted to buy 1102 Hollins, it was because the brochure from Piper, O'Conner & Flynn advertised the property as a place perfect for a small office such as I had planned. We were assured that the zoning laws allowed such a use. Our realtor double checked this matter with the Piper realtor, who informed us that a call to the zoning office had confirmed that an office was a permissible use. We later received additional reassurances of this fact. The current occupant, in fact, was seeing several clients a day, who came and went as we periodically visited the property.

Although we were aware that there had been significant neighborhood difficulties with Lelia Griswold's activities at 1102 Hollins, we believed it was due to her plans to make it a large group meeting center and due to her bringing unorthodox and noisy groups to the property.

We were very shaken to learn--after three quarters of our renovations had been completed--that the zoning information we had received was not fully accurate.

Because the letter Sarah recently circulated speaks of her concern for the neighborhood and because she says many of you

**PETITIONER'S
EXHIBIT** 14

MICROFILMED

articulate the same concerns, I have made arrangements for an office farther down Falls Road to alleviate some of the traffic from my home. We expect that my home activities will be sufficiently low key that no neighbor will be affected. If you have any questions, I would be more than happy to discuss the matter with you.

Sincerely,

1

Brown
1102 Hollins Lane
SANT MD 21209



Harry & Sarah Lord
6134 Barroll Road
Baltimore, Maryland 21209

21209-2252 05



1115 Hollins Lane
Baltimore Md. 21209
Nov. 6, 1994.

Dear Mr. and Mrs. Brown:

We have received and read your recent letter and of course have read Sarah Lord's recent letter. We too are fairly recent arrivals to this community, having moved here from Santa Monica Ca. in June 1993. Our choice of this location was based primarily on what we thought to be an ideal setting for our family with three young children. We do consider the lack of any traffic associated with business endeavors to be a real advantage of this locale and we do value the codes covenants and restrictions which insure the maintenance of that state of affairs. We are writing to you to convey to you the strength of our conviction to the status quo and trust that you will not feel compelled to apply for a variance with the county. We would be very concerned that the friction which would undoubtedly ensue would go a long way towards disrupting the relative tranquility which we now enjoy.

We find it particularly concerning that the representative of O'Connor, Piper and Flynn may have misrepresented the current status of the codes, covenants and restrictions which govern property use in our neighborhood. It would seem extremely shortsighted for a realtor to suggest doing something which would ultimately lower real estate values, particularly in an area in which the realtor in question has a significant market share. In view of the fact that O'Connor, Piper and Flynn handled both sides of the transaction at the time of our purchase of 1115 Hollins Lane, we intend to make our feelings known to them vis a vis their advice to you.

We trust that you will respect this expression of our feelings and our desire to maintain the status quo.

Sincerely,

Michael and Dorry Tooke.

PETITIONER'S
EXHIBIT 15

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Chris and Leslie Brown
1102 Hollins Lane 21209

12 October 1994

Dear Chris and Leslie,

Again, Welcome to this leafy respite, our magical, old, by-way of a neighborhood.

While its surprising privacy is a delight, this sense of rural quiet is a product of hard work on the part of everybody who lives here. Zoning battles are a way of life: Years ago this neighborhood was slated to become the Jones Falls Expressway; once upon a time it was to be the location of the Streetcar Museum; later, to abut a bus throughfare to Towson.

Recent battles have included the halting of a proposed Falls Road ramp onto the JFX, input into the construction of the new Falls Road Bridge over the stream and RR track, and the downsizing, under the bridge, of the new MTA light rail station -- from a magnet to a neighborhood facility. Current efforts include lowering Falls Road speed and its traffic accidents, and limiting the light rail parking lot to its present size.

The Lake Roland Protective Association (you are our newest members) solicits money only when we have our own legal fees to cover -- otherwise we encourage each other to stay current in our individual memberships in the Ruxton-Riderwood-Lake Roland Area Improvement Association, whose annual \$35 dues buys us matchless expertise and vigilance. (Many of your neighbors have served on the RRLRAIA board over the years. Presently Bruce Boswell, 6201 Falls Road, is our area representative.)

As I mentioned, zoning battles are a way of life. The two houses at the corner of Falls Road and Hollins Lane are affectionately known as "Scylla" and "Charybdis." Scylla required that we go to zoning hearings year after year to fight off commercial re-zoning by its owner, Mrs. Barney. Eventually Mrs. Barney's daughter and son-in-law moved in as residents and are valued neighbors. Charybdis was beautifully improved by Robert Adsit, who subsequently sought to open an antique store hereabouts. Picturesque though that might have seemed, we all knew this was a domino we could not let fall -- and we were grateful when he and his partner opened their store in Hampden. John Stallings, the plumbing contractor who built his house on Hollins Lane, has met with resistance regarding any commercial usage at his residence, and he has kindly complied.

Your predecessor Lelia Griswold was not as understanding. We were obliged to wage legal battles to end her commercial activity.

Following Harry's chat with you, Chris, we became aware of the following:

**PETITIONER'S
EXHIBIT** 16

606-851-1111

- 1) that the seller's real estate agent misrepresented to you the facts about this property's DR-1 zoning;
- 2) that Leslie has given notice to the Colonade, intending to close her office there and move her practice to 1102 Hollins Lane; and
- 3) that before you took over the property Lelia's short-term tenant had been seeing occasional clients on the property after Lelia moved to Hawaii.

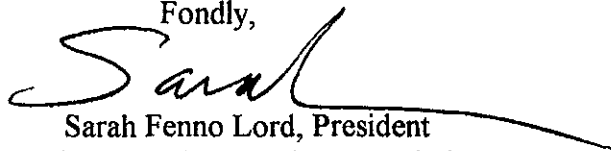
Leslie and Chris, we are appalled that you have been so misled as to the nature of this property and what its zoning allows. And we are saddened that it falls to us to ask that you comply with the zoning laws: that is, NOT use this residential property as office space where clients are seen.

It is the neighborhood's view that Lelia's garage-which-grew-like-Topsy could be a splendid studio for an artist, or used as a guesthouse or office-at-home. Other uses require that you first win special exception status to the DR-1 zoning and that renovation be preceded by building permits.

Many of your neighbors in this cul de sac have very young children who bike, skate and sled on narrow Hollins Lane. Commercial traffic is expressly what Hollins Lane should NOT have on it.

The pastoral quality of your new neighborhood is hard-won. But it is why each of us lives here. Despite the frustration of what you have been through so far at 1102, all your new neighbors hope you will stay. Since we first heard of your interest in living here, Harry and I have looked forward to your arrival, and to counting you among the defenders of our residential integrity. Should we get together to clarify any issues? The neighborhood needs to understand your intentions.

Fondly,

A handwritten signature in black ink, appearing to read "Sarah", with a long, sweeping horizontal line extending to the right.

Sarah Fenno Lord, President
The Lake Roland Protective Association

828-4355

Chris and Leslie Brown
1102 Hollins Lane
Baltimore, MD. 21209

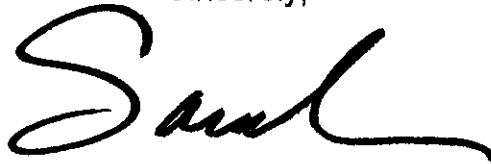
Saturday, 29 October, 1994

Dear Chris and Leslie,

Following up our meeting this morning, let me again state on behalf of the neighborhood that should you begin seeing any clients, as of Monday October 31 or in the future, at your residence 1102 Hollins Lane, this neighborhood association will be compelled to involve Baltimore County and the Ruxton-Riderwood-Lake Roland Area Improvement Association. The seeing of such clients is not permitted in a DR-1 zone, unless you first apply for and are granted special exception status to this residential zoning.

We welcome you whole-heartedly as new homeowners. If you and we are communicating openly and in good faith we can avoid ill feelings. Would you be kind enough to inform me this week of your intentions -- will Leslie see all of her clients elsewhere, or will she indeed be seeing some clients at 1102 Hollins Lane?

Sincerely,



Sarah Fenno Lord, President
The Lake Roland Protective Association

Hand delivered 30 October 1994

**PETITIONER'S
EXHIBIT 17**

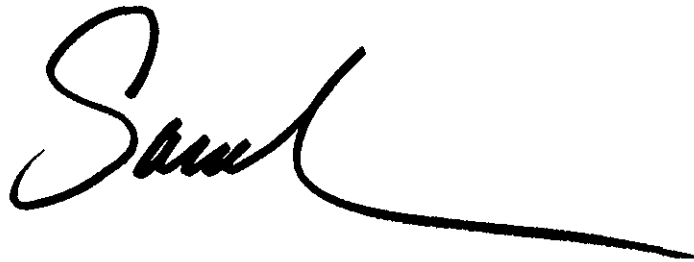
Wednesday, 11-2-94

Dear Neighbors,

Please plan to attend a very important meeting of our neighborhood, on Monday November 7 at 7:30 pm, at Lee and Sally Anthony's house.

Chris and Leslie Brown have recently purchased 1102 Hollins Lane. Mrs. Brown intends -- against the wishes of our community and expressly contrary to the property's DR-1 zoning regulations -- to treat a number of her psychotherapy patients at their residence.

The meeting will begin promptly. All association members have been invited, including the Browns.

A large, stylized handwritten signature in black ink, appearing to read 'Sam', with a long horizontal flourish extending to the right.

PETITIONER'S
EXHIBIT 18

MICROFILMED

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Leslie D. Brown, LCSW
C. Christopher Brown, Esq.
1102 Hollins Lane
Baltimore, MD. 21209

Wednesday, 9 November, 1994

Dear Leslie and Chris,

At the conclusion of Monday night's meeting, a motion was made that this neighborhood association request that you apply, within 10 working days of today's date, for a Special Exception to the zoning regulations governing your newly purchased residential property, 1102 Hollins Lane, and that at that time you send us a photocopy of your application. The motion was seconded and carried by those present (17 ayes, 2 nays, 2 abstentions) following Leslie's assertion that she has no intention of moving her psychotherapy practice, in its entirety, from the separate structure on your property to an appropriate location outside the neighborhood.

As you both know, Leslie's psychotherapy practice (which commenced the week of 31 October, 1994, at 1102 Hollins Lane, zoned DR-1) is in violation of the zoning laws which have protected this residential community for years. Business activity alters the quality of life in a strictly residential community, drives down property values and causes a change in the neighborhood. In our neighborhood in particular, additional traffic poses a safety problem, non-residential commercial traffic being especially hazardous.

Hollins Lane is so narrow a roadway that neighbors must pull their cars to the side to allow each other to pass. It most resembles a country lane, where the many young children who live here congregate to play, skate, ride bikes, sled or be walked in their prams. One of our neighbors regularly seen on foot is in her nineties and walks with a cane. As you know, the homeowners in this small cul de sac value this freedom of movement for our young children and grandchildren and we value it for ourselves.

As we said Monday night, friendliness is also a highly valued commodity here, and we are pained at your defiance of the zoning regulations and community wishes. It is unfortunate that you do not appreciate how vigilant our Falls Road neighborhoods must be to keep commercial development at bay. We have had to work tirelessly for many, many years to keep zoning laws in place, and we have had to abide by those laws to maintain the unique character of this neighborhood.

We continue to urge you to remove your business immediately from 1102 Hollins Lane. This neighborhood is prepared to undertake all legal measures necessary to ensure its strictly residential status. It would be helpful if you understand that our actions are not personal in nature, but reflect the importance we place on the serenity of this neighborhood.

Sincerely,



Sarah Lord, President
The Lake Roland Protective Association

cc. Neighborhood families

PETITIONER'S
EXHIBIT 19

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Arnold Jablon
Director, Office of ZADM
Room 109
111 W. Chesapeake Avenue
Towson, MD. 21209

29 November, 1994

Dear Director Jablon,

The Lake Roland Protective Association (representing homeowners on Hollins Lane, Barroll Road and Copper Hill Road) hereby requests that the Baltimore County Office of Zoning Enforcement require that Leslie D. Brown, LCSW, cease her psychotherapy practice at 1102 Hollins Lane.

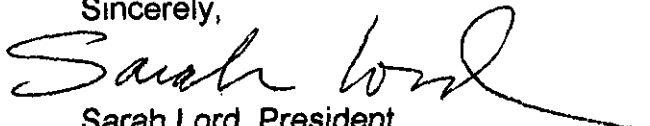
Mrs. Brown and her husband, C. Christopher Brown, Esq., purchased this residence (DR-1) in late October, following six months of renovations by them and the previous owner. They have been aware for some time that in this strictly residential community business traffic is unwelcome and a considerable hazard. Leslie Brown's psychotherapy business (operated out of a building separate from their dwelling: a renovated garage internally transformed to an office building) is 1) in violation of the Baltimore County zoning regulations, 2) not in character with the neighborhood, and 3) against community wishes.

Mrs. Brown has been seeing her psychotherapy patients at 1102 Hollins Lane since Monday, October 31, 1994.

Mrs. Brown has informed the neighborhood that she will continue to see her clients at her office at 1102 Hollins Lane. It is our understanding that the Browns have adapted the building for use as an office without obtaining all the necessary building permits. The Browns currently refuse to seek a special exception to their DR-1 zoning status. We therefore find it necessary to seek the speedy intervention of Zoning Enforcement.

Thank you for your assistance in this matter.

Sincerely,


Sarah Lord, President
The Lake Roland Protective Association
828-4355

cc Dutch Ruppensberger
Douglas Riley
Peter Max Zimmerman

**PETITIONER'S
EXHIBIT** 20



Zoning Enforcement

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

ZONING VIOLATION ASSIGNMENT RECORD

mailed 12.13
rec'd 12.14

CASE NO. C-95-1046

ZONING:

LOCATION: 1102 HOLLINS LANE

NEAREST INTERSECTION:

ALLEGED VIOLATIONS: BUSINESS FROM RESIDENCE

() RFA () LETTER () IN-PERSON () PICK-UP FROM:

ASSIGNED TO: () K. CONNOR () G. FREUND () D. THOMPSON
() C. MCGRAW () L. WASILEWSKI (X) T. FITTS
() D. PROPALIS ()

ELECTION DISTRICT: 4TH

TAX ACCOUNT #

COMMENTS:

ACKNOWLEDGEMENT NOTICE

DEAR MS. LORD:

DATE: DECEMBER 9, 1994

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO THE CASE AND WILL VISIT THE LOCATION AS SOON AS POSSIBLE. SHOULD THIS MATTER BE SCHEDULED FOR A DISTRICT COURT TRIAL, YOU WILL BE NOTIFIED OF THE DATE.

ZONING ENFORCEMENT SECTION

TELEPHONE: 887-3351

PETITIONER'S
EXHIBIT 21



Zoning

Enforcement

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

ZONING VIOLATION CORRECTION NOTICE

January 17, 1995

Christopher C. Brown
Leslie D. Brown
1102 Hollins Lane
Baltimore, Maryland 21209

Re: Case No. C-95-1046
1102 Hollins Lane
9th Election District

Dear Mr. and Mrs. Brown:

An inspection of your property, zoned D.R.1, has been made and it has been found that an apparent violation exists. According to Sections 101 "Home Occupation"; 102.1; 1B01.1A; 1B01.1.C.9B of the Baltimore County Zoning Regulations, the correction(s) listed below is/are required:

1. Please cease the operation of a professional office, or petition for a special exception for such use at 111 W. Chesapeake Avenue, Room 109. Additionally, such office must be established within the same building as that serving as the professional person's primary residence.

The above-noted correction should be completed by February 17, 1995 or a citation may be issued to you imposing monetary fines of \$200 per day, per violation (Section 26-121, Baltimore County Code).

It is hoped that through your cooperation the alleged violation(s) will be resolved without the need for district court action.

If further clarification is necessary as to this matter, please contact the inspector indicated below at 887-3351.

INSPECTOR: Timothy L. Fitts

TLF/sh

c: File

bc: Mrs. Sarah Lord, President Lake Roland Protective Assn.

**PETITIONER'S
EXHIBIT** 22

MICROFILMED

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

P.O. Box 204
Riderwood, MD 21139
Tel. (410) 337-0792

Arnold Jablon, Esquire
Director, ZADM
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

February 3, 1995

Dear Mr. Jablon:

The Ruxton-Riderwood-Lake Roland Area Improvement Association would like to be informed of the current status of Zoning Enforcement Case # C - 951046.

We have received ongoing complaints about the psychotherapy practice being conducted without a Special Exception for this use at 1102 Hollins Lane, 21209, the residence of Christopher Brown and Leslie Brown, LCSW.

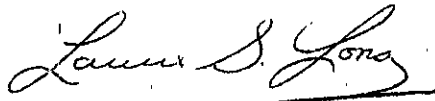
Complaints from the residents of the Hollins Lane and Barroll Road area include the increase of hurried nonresidential traffic onto a very narrow residential road. Residents report an increase of trash on Hollins Lane.

Neighbors have stated that patients are being treated in a building separate from the residence. The building has apparently been converted to an office from previous use as a garage. We have received complaints that the conversion was made without permits or building inspections. The subject property is zoned DR-1. Neighbors have requested the property owners to confirm to legal use or seek the required Special Exception.

It is our understanding that the property owners have received a correction notice from Zoning Enforcement. The Ruxton-Riderwood-Lake Roland Area Improvement Association stand behind the complaint registered to Zoning Enforcement by the Lake Roland Protective Association. We believe that zoning regulations designed to protect use of properties should be strictly enforced.

Kindly advise us as to what the Ruxton-Riderwood-Lake Roland Area Improvement Association the Lake Roland Protective Association and neighbors of the property can do to support Zoning Enforcement in its action.

Very truly yours,



Laurie S. Long
Executive Director

cc: C.A. Dutch Ruppersberger, Balto. County Executive
Councilman Doug Riley
Mr. Tim Fitts, Inspector, Balto. Co. Zoning Enforcement
Mr. James Thompson, Supervisor, Balto. Co. Zoning Enforcement
Mrs. Sarah Lord, Pres. Lake Roland Protective Assoc.

PETITIONER'S
EXHIBIT 23

IN RE: ~~PETITION FOR~~ SPECIAL
HEARING ON ILLEGAL PROFESSIONAL
OFFICE OF PSYCHOTHERAPIST,
LESLIE D. BROWN, LCSW, IN
D.R.-1 ZONE, WITHOUT
A SPECIAL EXCEPTION

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-313-SPH (Item 305)

* * * * *

SUBPOENA AND SUBPOENA DUCES TECUM

TO: LESLIE D. BROWN, LCSW
AND 1102 Hollins Lane
SERVE Baltimore, MD 21209
ON

*Served @
3:10 pm -
Thursday,
April 6
on 1102
@ 1102
by
Travis
Alston
of
Alston &
Assoc.
964
Bayland
Rd,
668578*

You are hereby summoned and commanded to be and appear personally
before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore
County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, MD 21204
at 2:00 p.m.

and to bring [see attached list of subpoenaed documents and records]

on the 11th day of APRIL, 1995, regarding the above captioned
and producing documents and records
case, for the purpose of testifying at the request of The Lake Roland
Protective Association, Inc. and of The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.

Sarah F. Lord
Sarah F. Lord

~~XXXXXXXXXX~~ Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

PETITIONER'S
EXHIBIT 24

William E. Smith
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: April 6, 1995

LIST OF SUBPOENAED DOCUMENTS AND RECORDS

1. Copy of your professional office space lease, designating your office suite, at 1190 West Northern Parkway, Baltimore, Maryland 21210, effective on or about November 1, 1994.
2. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1102 Hollins Lane during the period August 1, 1994 to and including April 11, 1995.
3. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at The Colonnade, 4 West University Parkway, Baltimore, Maryland 21210 during the period May 15, 1994 through October 31, 1995.
4. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1190 West Northern Parkway, or at any professional office other than 1102 Hollins Lane, during the period November 1, 1994 to and including April 11, 1995.
5. Copy of the O'Connor, Piper & Flynn brochure advertising 1102 Hollins Lane as a place perfect for a small office as you had planned.
6. Copy of all architect's plans, drawings, and elevations prepared at your direction for professional office renovations to the separate building at 1102 Hollins Lane. Include copies of all bills from all architects and all contractors of any sort performing that work as well as copies of all permits of any sort applied for and received from the County.
7. Copies of all monthly telephone bills for your office telephones at 410-532-2696 and 410-583-0458.
8. Copy of your dated notification to the State Board of Social Work Examiners informing it of your change in professional office address as of November 1, 1994.

April 6, 1995

receipt



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

Date 3/8/95

Item: 305

Taken In By: T25JC

The Lake Roland Protective Assoc.

The Ruxton-Brimwood-Lake Roland
Area Improv. Assoc.

Filing against
1102 Hollins Lane

030 - Special Hearing - \$50.00

no advertising - \$0.00

Total - \$50.00

03AQ3#0124MICHRC
BA C009#03AM03-08-95

\$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

PETITIONER'S
EXHIBIT 25

Insp. April 6, 1995

CASE # C-95-1046

1102 Hollins Lane

Three Cars Observed:

① Black Honda Accord
Tag# AYY 855 8/96

② Gray Honda Accord
Tag# RCA 716 1/96

③ Green Saab 900s
Tag# ZSA 284 4/97

*** I observed a forth vehicle entering the premises at approx. 9:43 am:

Tag# 1CB 398 / Blue Toyota Truck.

Also, I observed ~~a~~ the Black ~~Accord~~ Honda Accord tag# AYY-855 that was on premises, ~~leaving~~ departing at approx 9:46 am.

REPORTER'S

EX-1

27

MICROFILMED

RCH716 0148036 01/96 A 12734767 1HGAD7423FA044818 85 HOND 4S
N/A -3700 00N/A \$27.00 N/A 5 STL:NO FLAG:NO SUB:NO FR:
V-ST: N V-INSP-ST: C V-INSP-DT: 041796 V-EXP-DT: 041796 V-ACC-DT: 03059
INS.CO: Governmnt Employ Ins Co POLICY#: 6685008
REG-VAL-DT: 010394
PREVIOUS CLASS: A PREVIOUS TAG: CCZ270* RFND:N ODOMETER: 000000 CODE:

B-650-115-115-952 SUS.REV: NO
CHARLES CHRISTOPHER BROWN 5-11 160 2 M 12/15/41
1102 HOLLINS LANE BALTIMORE MD 21209

B-650-511-135-927 SUS.REV: NO
LESLIE DAVIS BROWN 5-04 132 2 F 12/05/43
3911 JUNIPER RD BALTIMORE MD 21218

-END OF RECORD-

>EX >ST >DEL

ZSA284 5267155 04/97 A 21566325 YS3AK46E3N2014035 92 SAAB 4S
N/A -3700 00N/A \$27.00 N/A 5 STL:NO FLAG:NO SUB:NO FR:
V-ST: N V-INSP-ST: C V-INSP-DT: 062195 V-EXP-DT: 062195 V-ACC-DT: 05089
INS.CO: Governmnt Employ Ins Co POLICY#: 6685008
REG-VAL-DT: 030995

RFND:N ODOMETER: 000014 CODE:

B-650-115-115-952 SUS.REV: NO
CHARLES CHRISTOPHER BROWN 5-11 160 2 M 12/15/41
1102 HOLLINS LANE BALTIMORE MD 21209

B-650-511-135-927 SUS.REV: NO
LESLIE DAVIS BROWN 5-04 132 2 F 12/05/43
3911 JUNIPER RD BALTIMORE MD 21218

-END OF RECORD-

>EX >ST >DEL

AYY855 1957907 08/96 A 21963652 1HGCB7574NA201912 192 HOND 4S
N/A -3700 00N/A \$27.00 N/A 5 STL:NO FLAG:NO SUB:NO FR:083092
V-ST: N V-INSP-ST: C V-INSP-DT: 101895 V-EXP-DT: 101895 V-ACC-DT: 09049
INS.CO: Governmnt Employ Ins Co POLICY#: 67849580
REG-VAL-DT: 081094
PREVIOUS CLASS: A PREVIOUS TAG: ZZX033 RFND:N ODOMETER: 000009 CODE:

E-400-258-603-767 SUS.REV: NO
FONTAINE MICHELE EWELL 5-07 145 2 F 10/05/62
939 S CLINTON ST 2ND FL BALTIMORE MD 21224

-END OF RECORD-

>EX >ST >DEL

1CB398 0322678 03/96 EPO 23303638 4TARN81A7RZ211585 94 TOYT TK
N/A 07000 00N/A \$33.75 N/A 5 STL:NO FLAG:NO SUB:NO FR:
V-ST: N V-INSP-ST: V-INSP-DT: 052495 V-EXP-DT: 052495 V-ACC-DT: 03199
INS.CO: United Services Aut Asso POLICY#: 003542010
REG-VAL-DT: 031794

RFND:N ODOMETER: 000004 CODE:

G-324-792-356-521 SUS.REV: NO
THEODORE JACK GETZEL
4832 TURKEYFOOT ROAD

5-07 155 2 M 07/01/47
SILVER RUN CAR MD 21157

M-635-488-067-075 SUS.REV: NO
LAURA ANN MARDEN
4832 TURKEYFOOT RD

5-04 105 2 F 01/28/62
WESTMINSTER CAR MD 21158

-END OF RECORD-

>EX >ST >DEL

305
THE LAKE HOLLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

Arnold E. Jablon, Esquire
Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

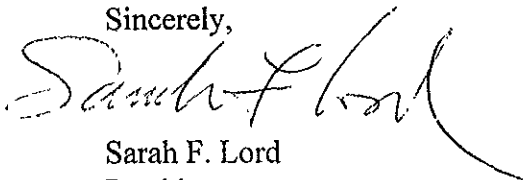
Dear Director Jablon:

Following Zoning Enforcement's Zoning Violation Correction Notice of 1/17/95 to Leslie D. Brown, LCSW (Case C-95-1046, Inspector Timothy Fitts) and Mrs. Brown's refusal to comply, our association is compelled to petition for a special hearing before the Zoning Commissioner.

We would be most grateful for your office's assistance in this matter. We hope, given the facts of the case and Mrs. Brown's defiance of Baltimore County Zoning Regulations, that you will urge the Commissioner to grant our community association, represented by counsel, a hearing. We are hoping for a hearing at everyone's earliest possible convenience.

Any assistance you can render in the preparation of this case we will very much appreciate.

Sincerely,



Sarah F. Lord
President
(410) 828-4355

SL/r16993

MICROFILMED

PETITIONER'S
EXHIBIT 29



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

1102 Hollins Lane, 21209

which is presently zoned

DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned

hereby petition for a Special Hearing under Section 500.6 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner

shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted

Upon filing of this petition, we agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Protestant

Sarah F. Lord, President

*THE LAKE ROLAND PROTECTIVE ASSOCIATION

Signature

Patricia L. Zouck, President

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

Signature

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

*6134 Barroll Rd., Baltimore, MD 21209

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Sarah F. Lord

Name

6134 Barroll Rd., Baltimore, MD 21209

Address

Phone No

828-4355

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

3/8/95

Filed against / no scheduling

PETITIONER'S
EXHIBIT 30

THE LESLIE ROLAND PROTECTIVE ASSOCIATION #305

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

The Honorable Lawrence E. Schmidt
Zoning Commissioner
Baltimore County Office of Zoning Administration
400 Washington Avenue, Room 112
Old Courthouse
Towson, Maryland 21204

Dear Commissioner Schmidt:

On January 17, 1995, Zoning Inspector Timothy Fitts advised Leslie D. Brown, LCSW, that she was in "apparent violation" of "Sections 101 'Home Occupation,' 102.1: 1B01.1A: 1B01.1.C.9B of the Baltimore County Zoning Regulations."

Inspector Fitts advised Mrs. Brown and her husband C. Christopher Brown, that they must "cease operation of a professional office or petition for a special exception for such use . . . [which office] must be established in the same building as that serving as the professional person's primary residence.

Inspector Fitts further noted that Mrs. Brown's "correction should be completed by February 17, 1995, or a citation may be issued . . . imposing monetary fines of \$200 per day, per violation . . ."

This Association hereby petitions for a Special Hearing before the Zoning Commissioner regarding this matter (C-05-1046). We think it appropriate that fines of \$200 per day per violation be imposed on Leslie Brown, beginning October 31, 1994 (when she knowingly and improperly initiated her psychotherapy practice at her residence, 1102 Hollins Lane).

We unhappily note that Mrs. Brown:

1) continued unabated and still continues to treat her psychotherapy patients daily at 1102 Hollins Lane, zoned DR.1;

PETITIONER'S
EXHIBIT 31

Mr. Lawrence E. Schmidt, Esquire

February 24, 1995

Page 2

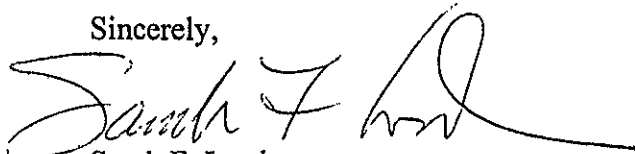
2) sees these patients in her recently established office building (formerly a garage) across the driveway from and entirely separate from her dwelling;

3) refuses to seek a special exception, as requested by Baltimore County (and previously by this Association);

4) was given until February 17, 1995, to comply with Baltimore County's pertinent zoning regulations, but instead continues to flout them.

As Mrs. Brown's violations have been permitted to occur for much too long – for four unpleasant months now – we respectfully request that the hearing date be scheduled at your earliest convenience. It is well past time to put an end to the increased trash on Hollins Lane as well as the hazardous increase in traffic, inappropriately commercial and fast paced, on this narrow residential lane. That the Browns cavalierly defy the zoning regulations, whereas the rest of the neighborhood is careful to abide by them, is a matter of considerable anguish in the community.

Sincerely,



Sarah F. Lord

President

(410) 828-4355

SL/r16993

Enclosures

cc: Honorable C. A. Dutch Ruppertsberger, III

Honorable Douglas B. Riley

✓ Arnold E. Jablon, Esquire

James H. Thompson

Timothy L. Fitts

Patricia Zouck



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March

~~May~~ 20, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-313-SPH (Item 305)

1102 Hollins Lane

N/S Hollins Lane, 1750' E of c/l Falls Road

9th Election District - 4th Councilmanic

Legal Owner(s): Leslie D. Brown

Petitioners/Protestants: The Lake Roland Protective Association & The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

HEARING: TUESDAY, APRIL 11, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted.

Arnold Jablon
Director

cc: The Lake Roland Protective Association/Sarah F. Lord
Leslie D. Brown, LCSW

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

PETITIONER'S
EXHIBIT 32

MICROFILMED



William B. Greenough, III
1300 Hollins Lane
Baltimore, MD 21209

Sarah Lord
President, Lake Roland Protective Association
6134 Barroll Road
Baltimore, MD 21209

23 April 1995

Dear Sarah,

Since I may not be able to attend another hearing on the matter of Leslie D. Brown using a separate office by her house as a place of business for seeing her patients as a psychotherapist, I wanted to give you this comment in writing should it be useful in obtaining a cease and desist order and action.

Our property and driveway abut on Hollins Lane opposite Mr. Stollings house and driveway. Increased traffic along Hollins Lane by people unfamiliar with how narrow and blind it is has resulted in several very near accidents. On at least one occasion I have nearly been struck as I attempted to crest the hill and turn into our driveway by strangers to our neighborhood. I have also heard the screech of brakes and seen tires marks where others have nearly collided at our driveway. Across the street are the Danenbergs with small children who play near or in Hollins lane with cycles and skates. Clearly any increase in traffic especially by those unfamiliar with our neighborhood and with no stake in it is dangerous. Thus I would strongly urge that no business activity be permitted. Especially no business that engenders an increase in traffic into and out of Hollins Lane. It is my understanding that our zoning prohibits any such activity. It is essential that it be enforced for the safety of all especially the many smaller children who use our streets.

My wife and I strongly support a firm stand to see that laws which are for the benefit of all are not ignored for the selfish wishes of a single neighbor. Do let us know if we can help in any way. We both appreciate your efforts and realize how unpleasant and taxing it has been for you to pursue this matter as has been forced by the unwillingness of Dr. Brown to cease her business in the neighborhood.

Sincerely yours,

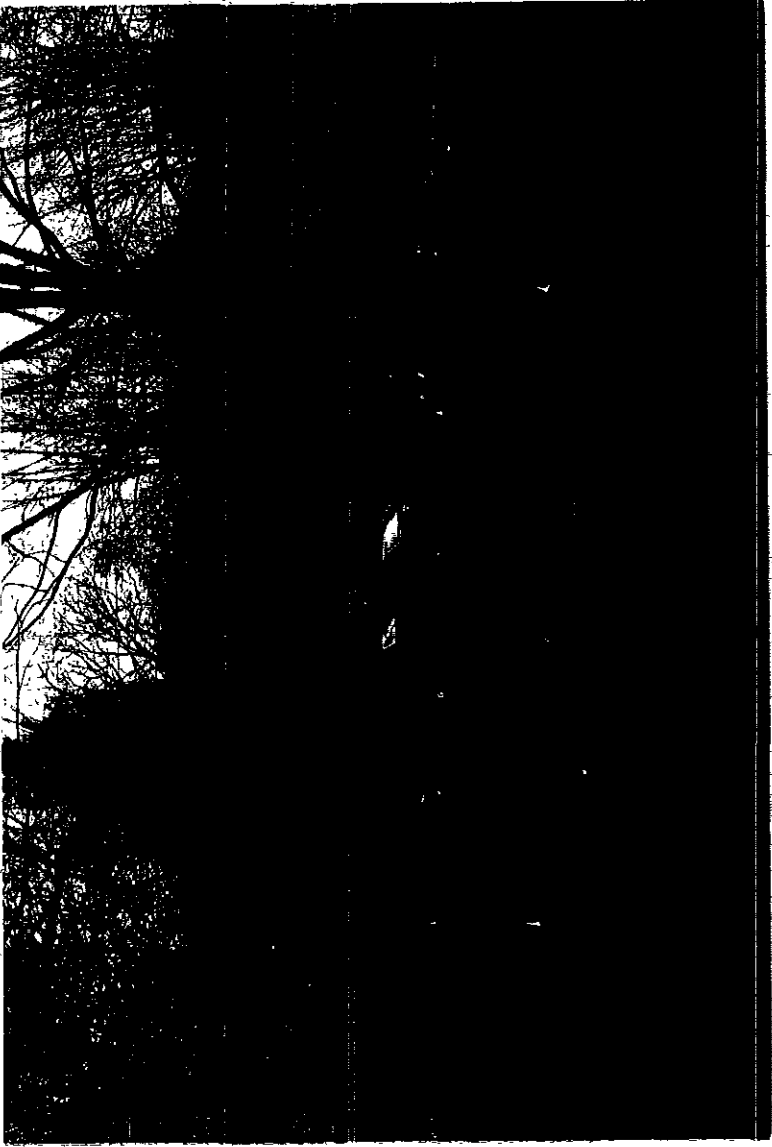
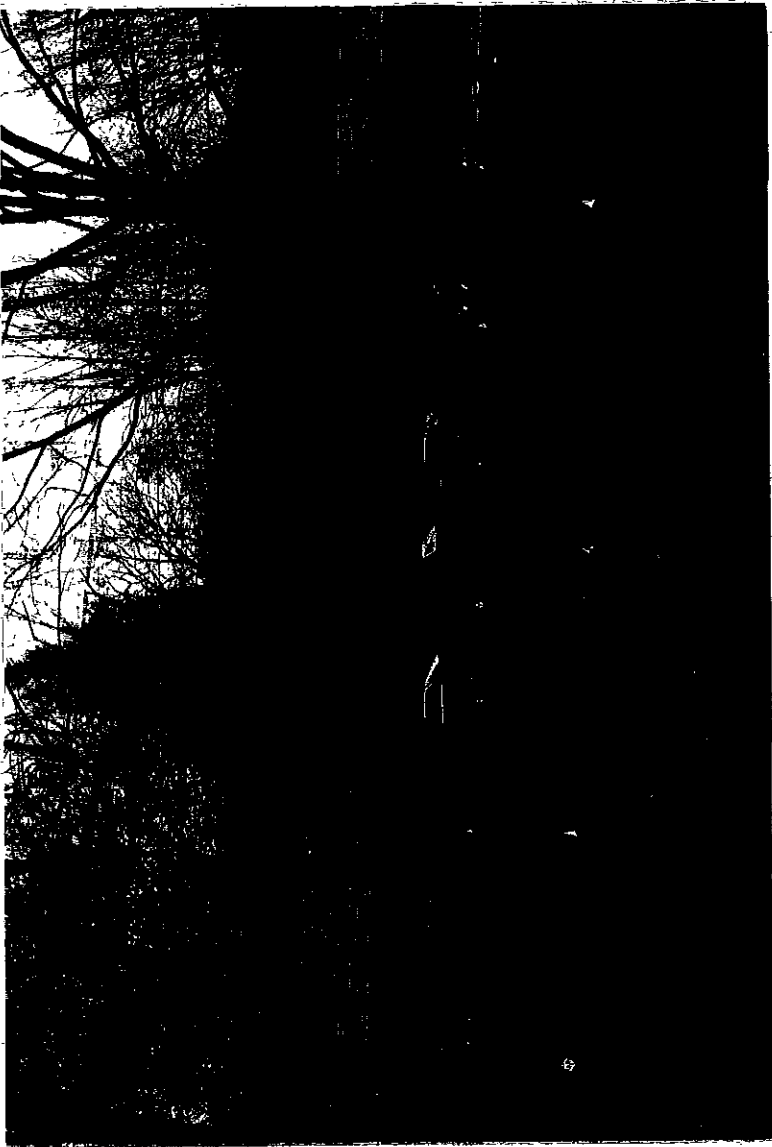
W.B.G.

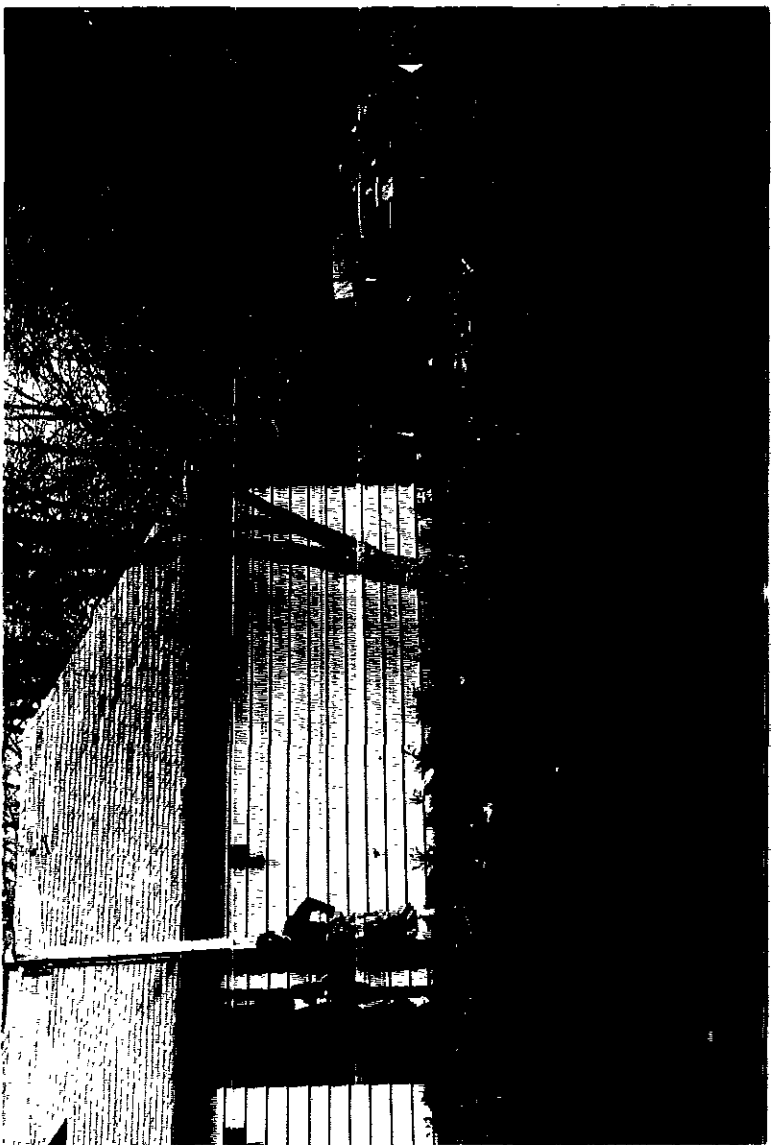
PETITIONER'S
EXHIBIT 33

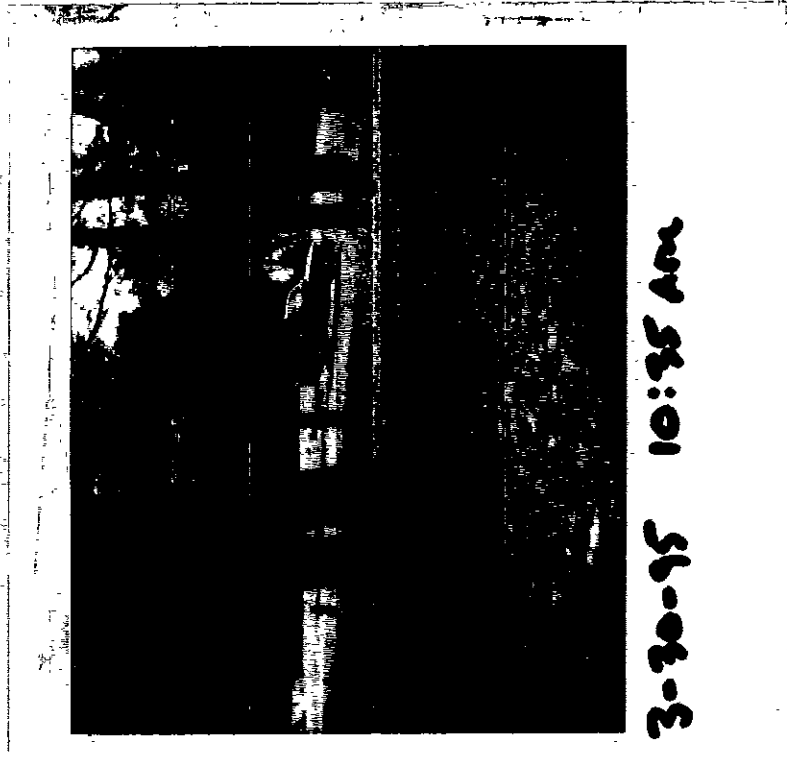
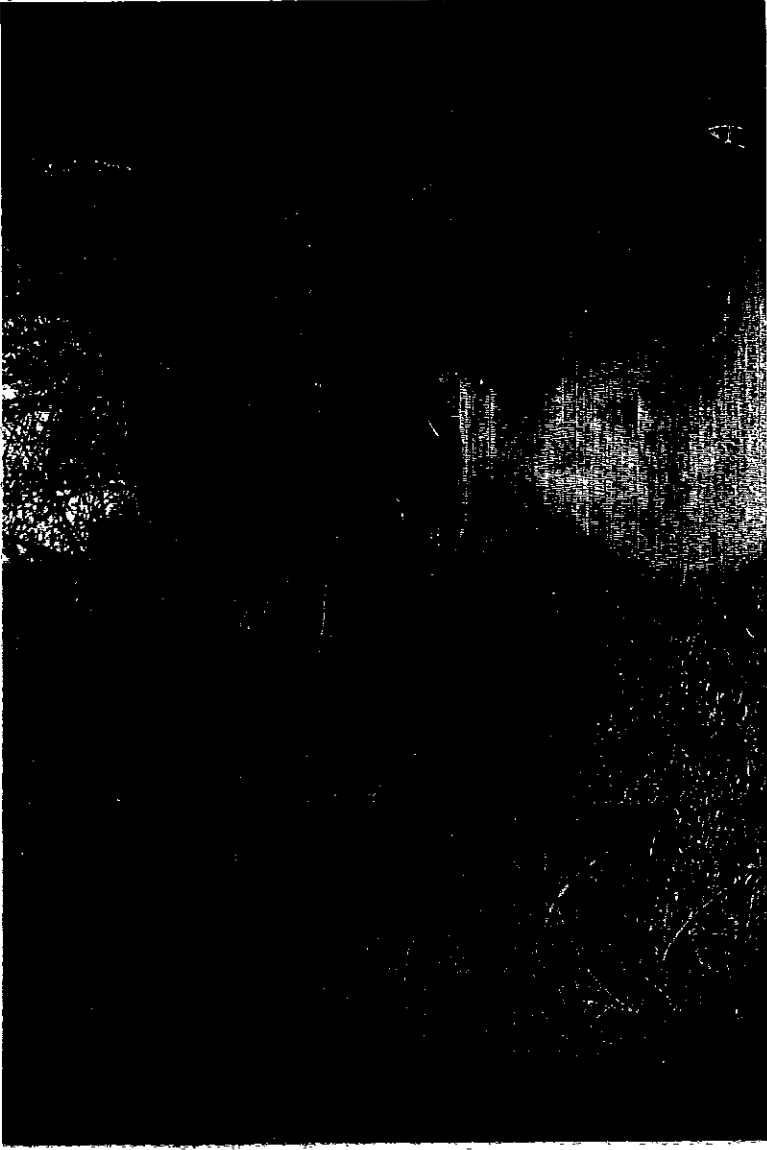
William B. Greenough, III, M.D.

P.S. We both appreciate your efforts!
Buck

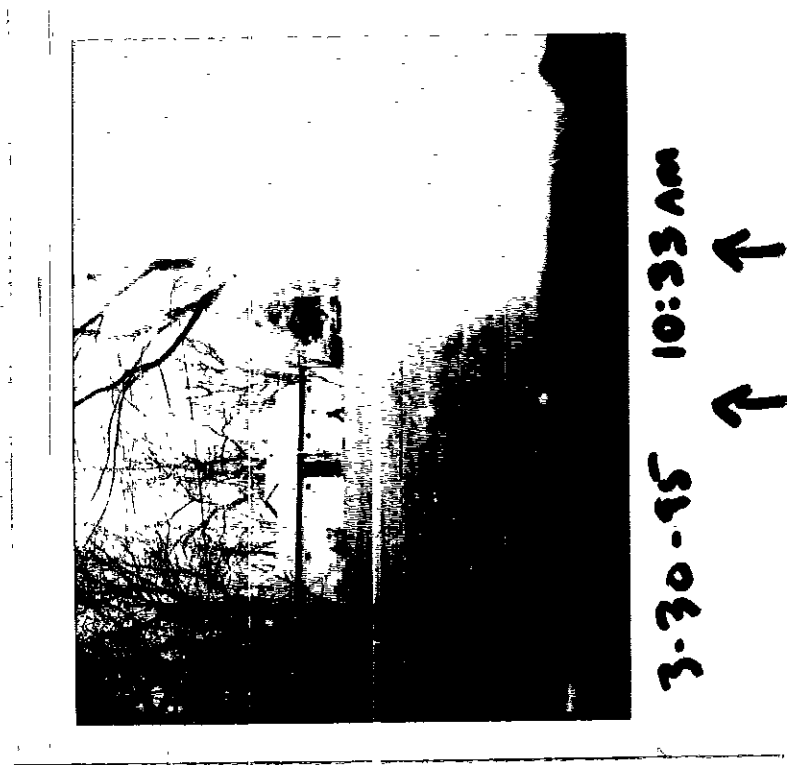
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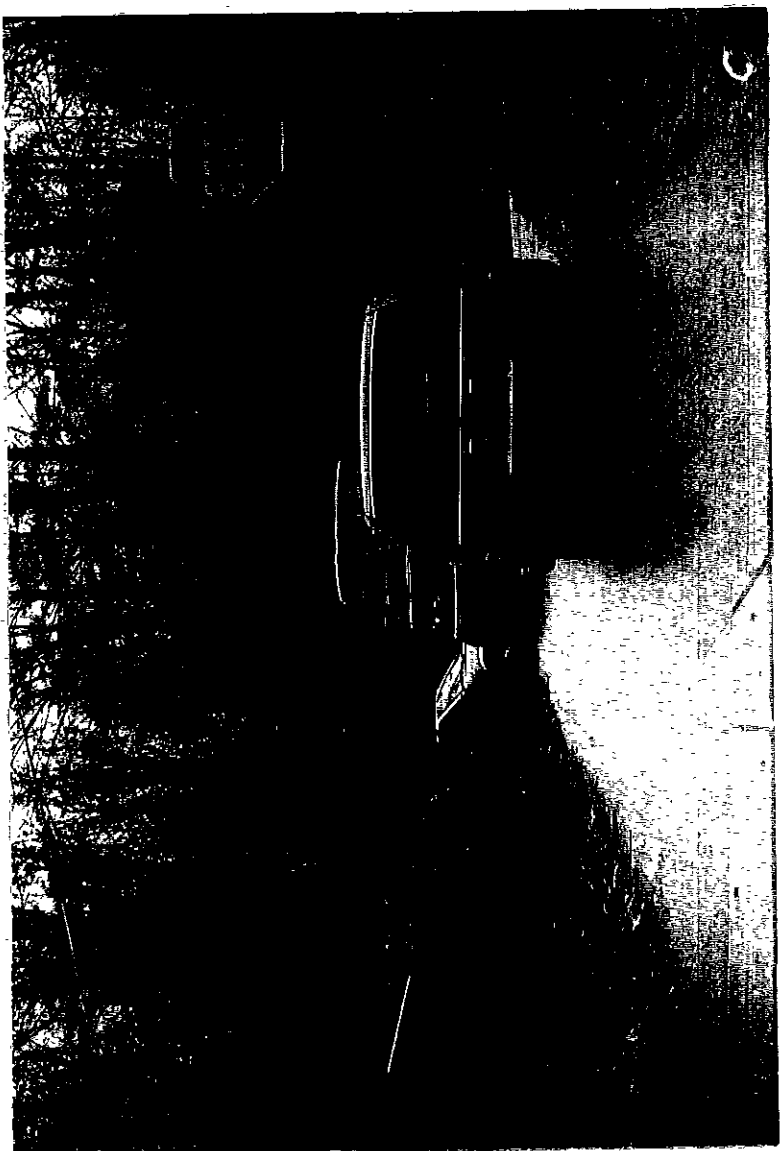
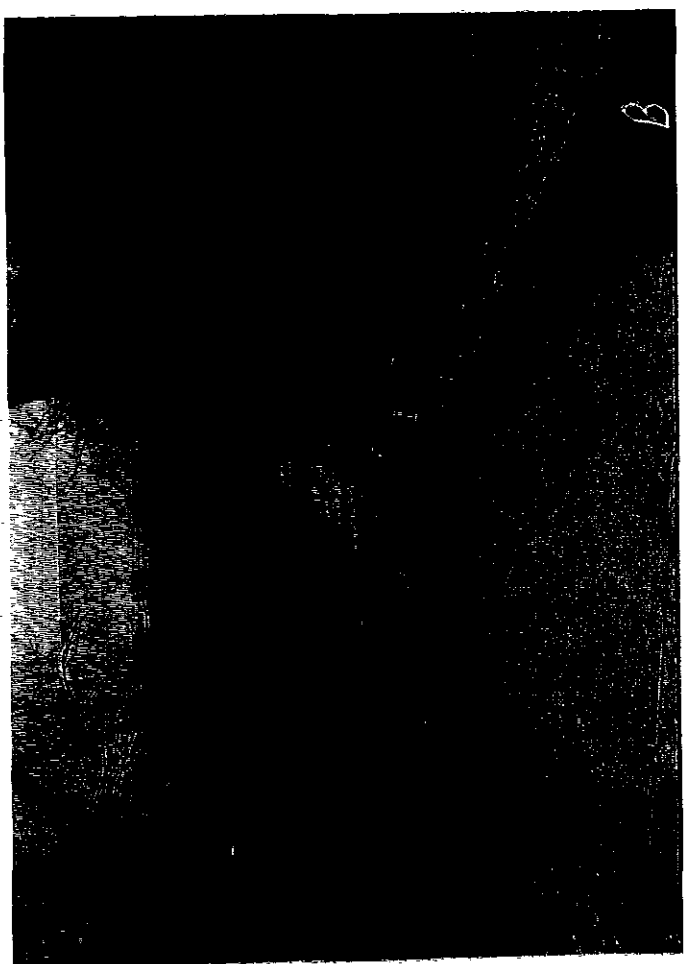
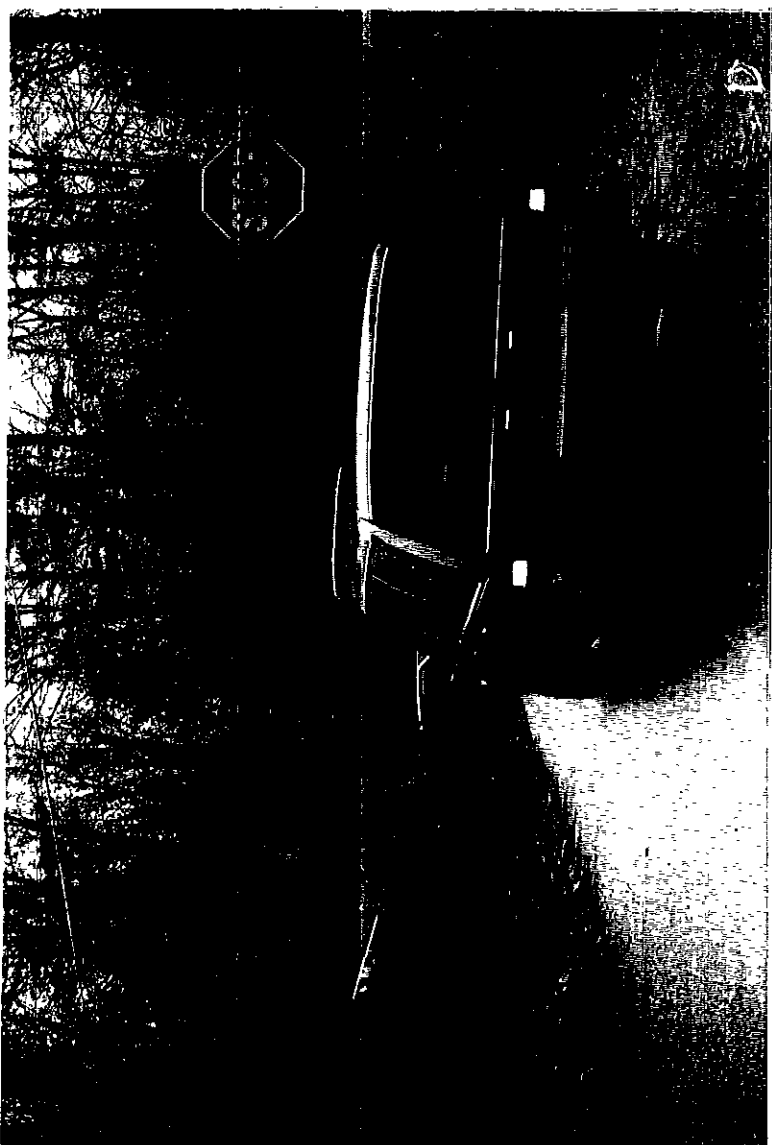
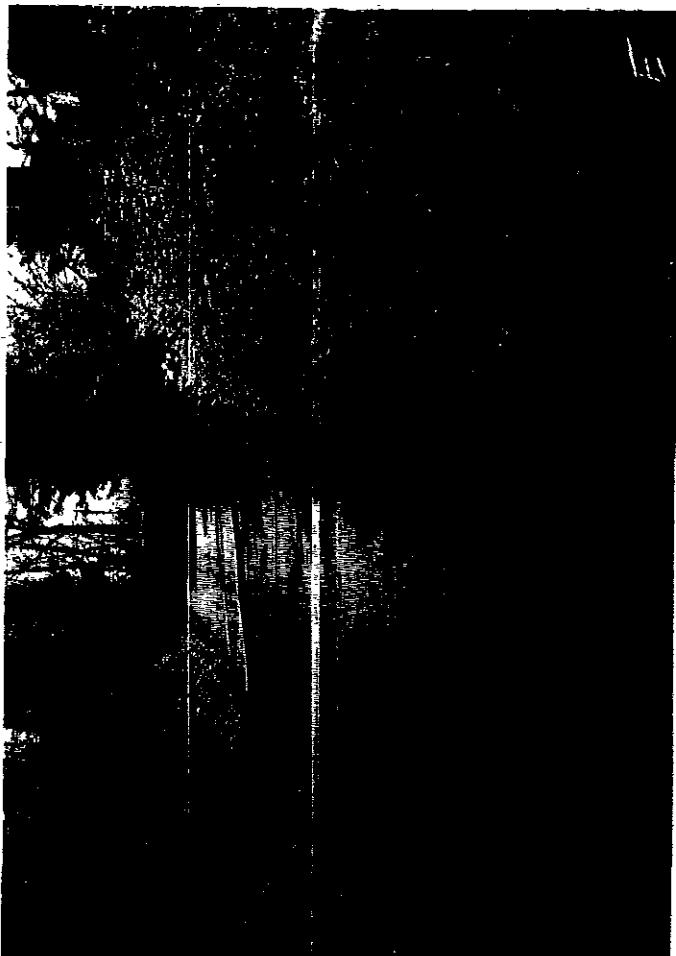
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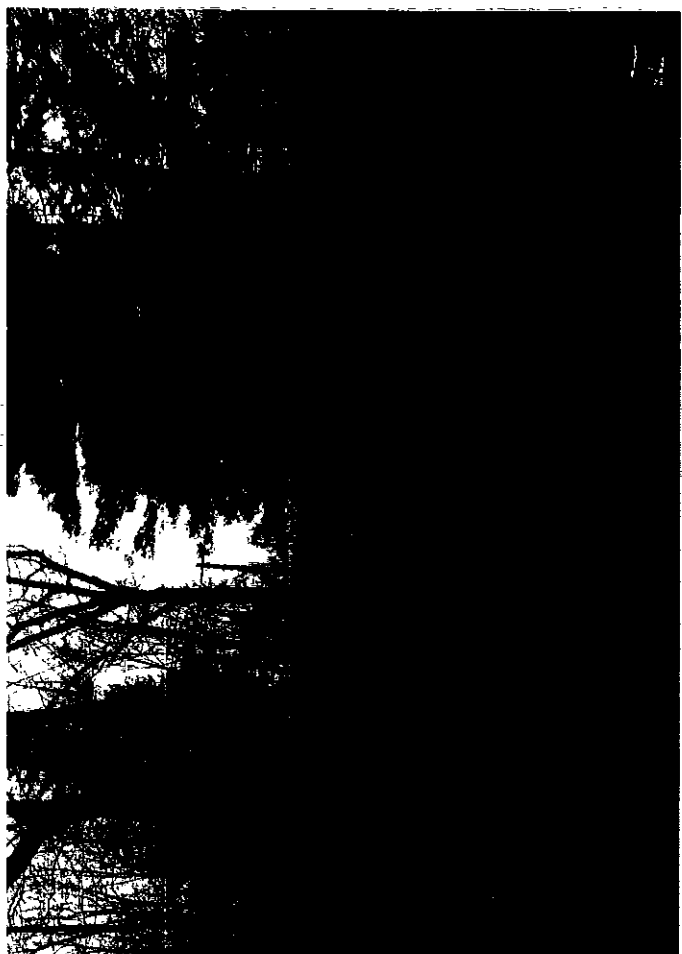
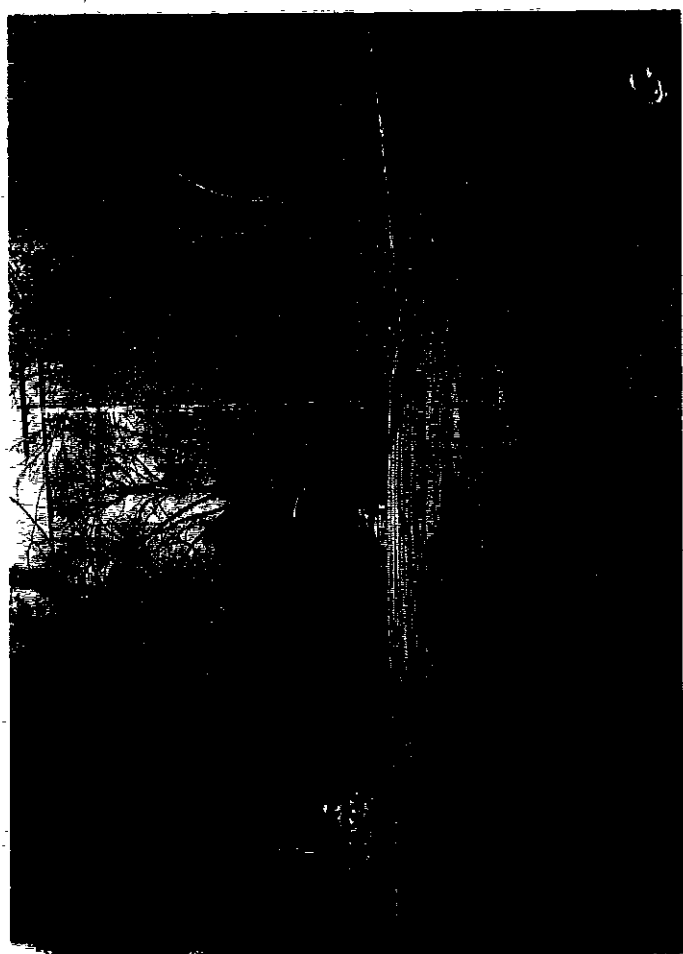
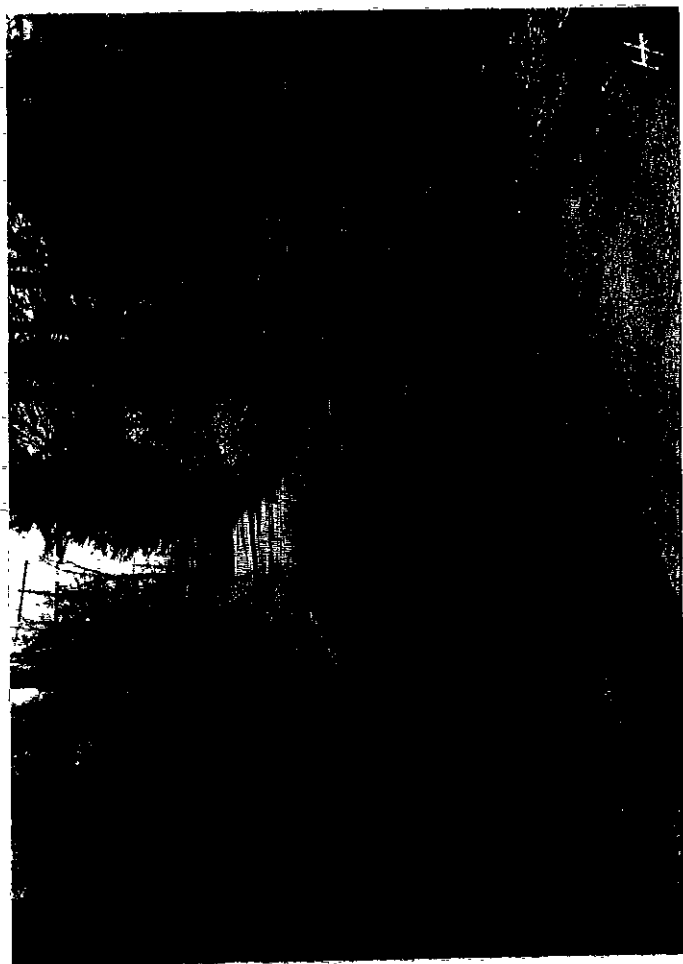


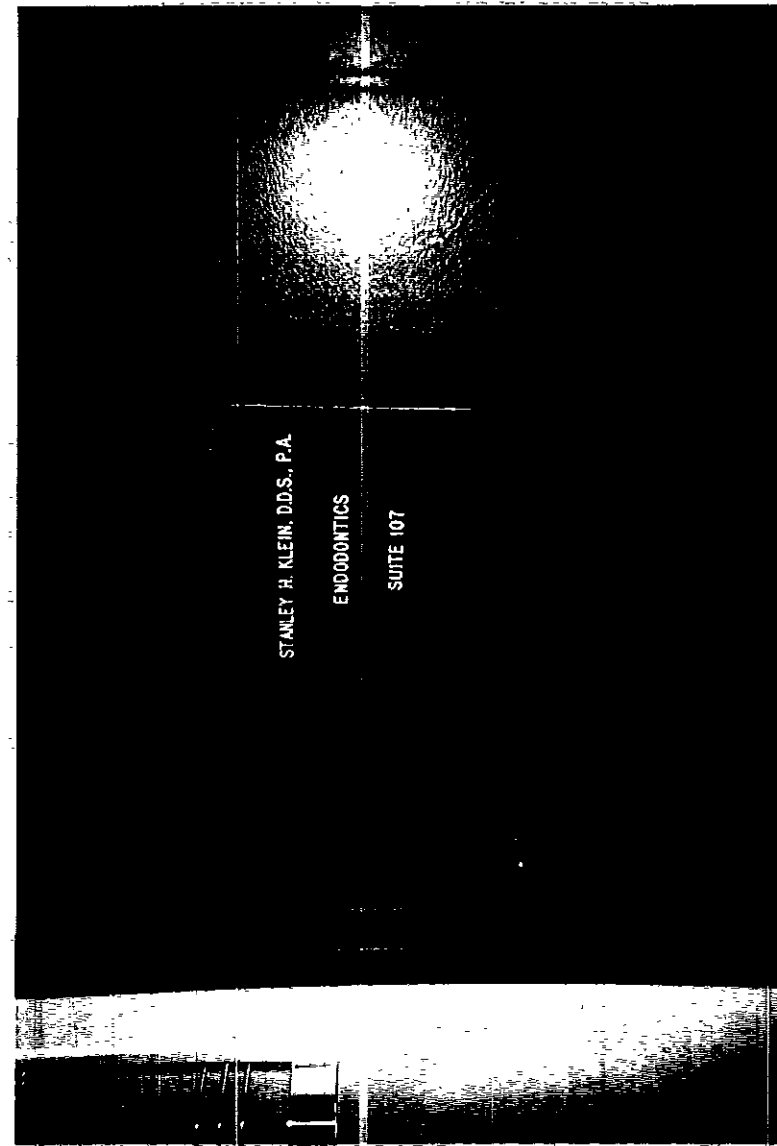
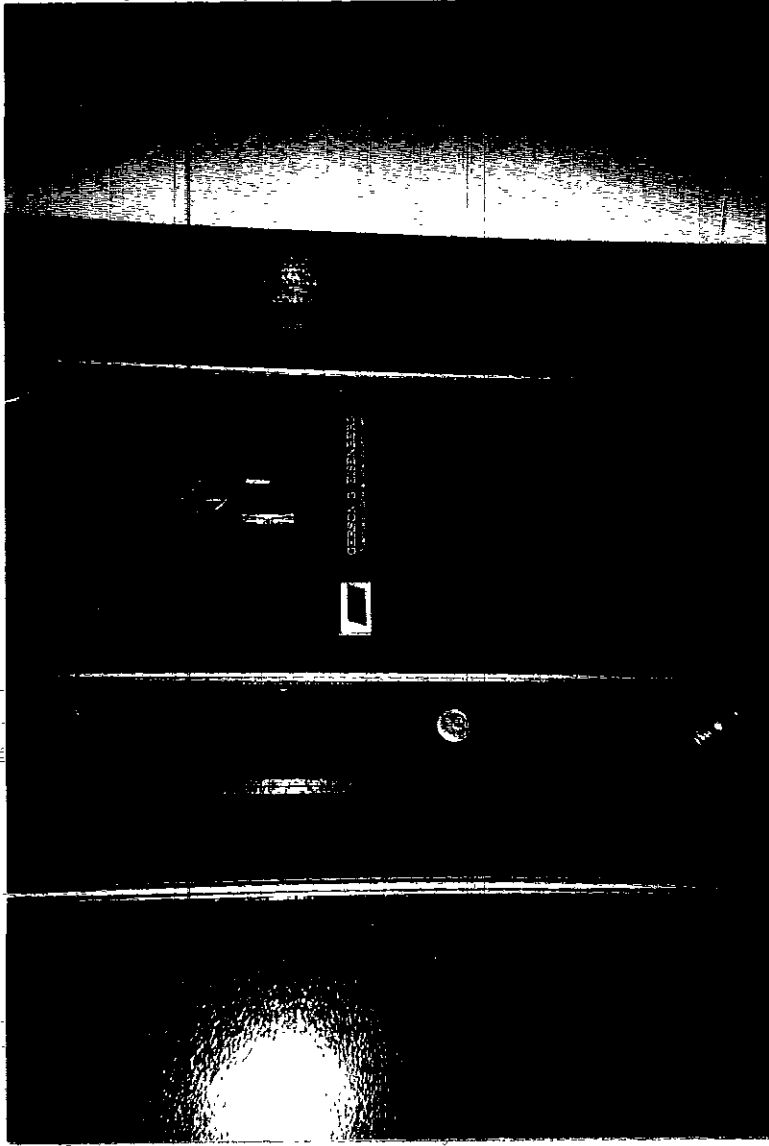
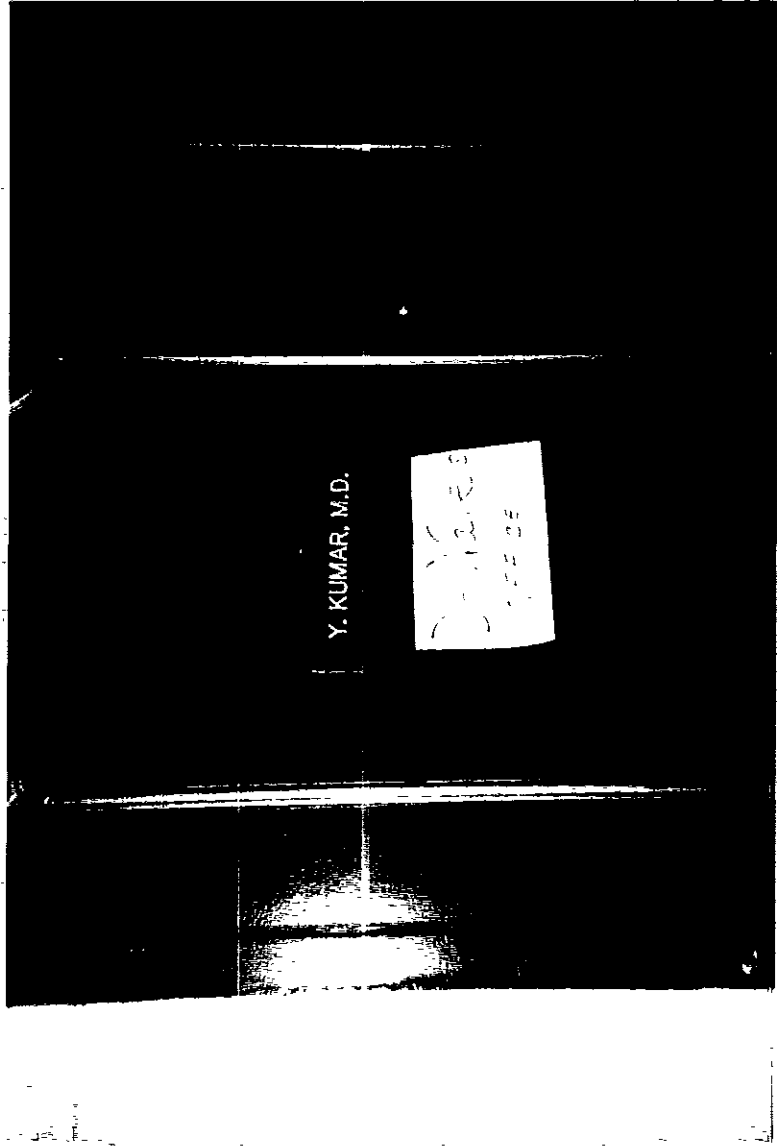
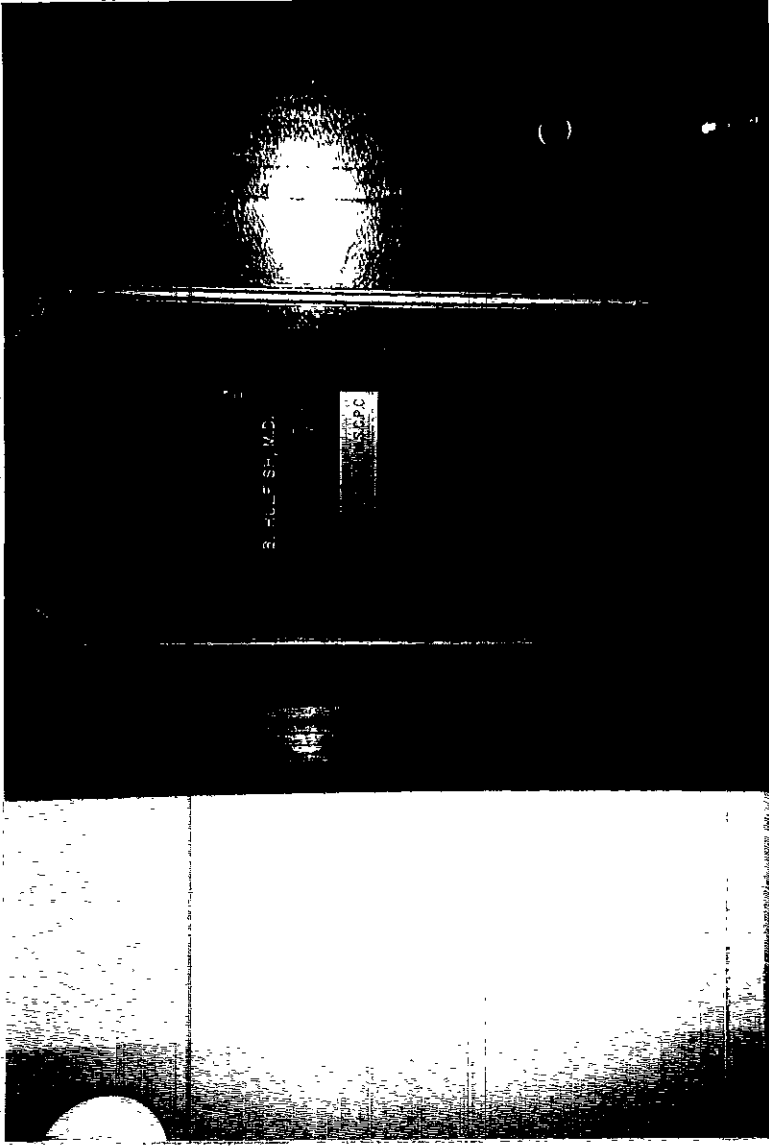
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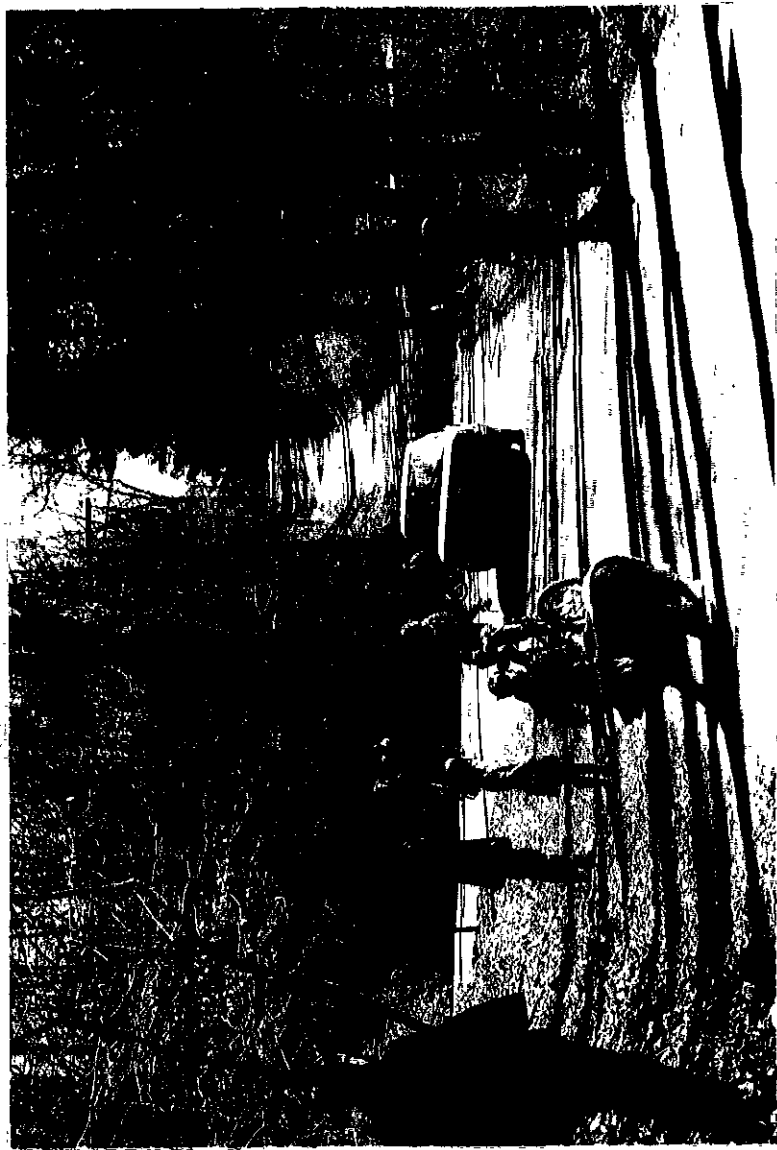


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D.R.

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LAKE

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95-313-HS-13

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D.R.

POLAND

W.A.D.

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PLEASANT

ARMAN

CREST AVE.

VIEW

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AVE.

D.R.

D.R.

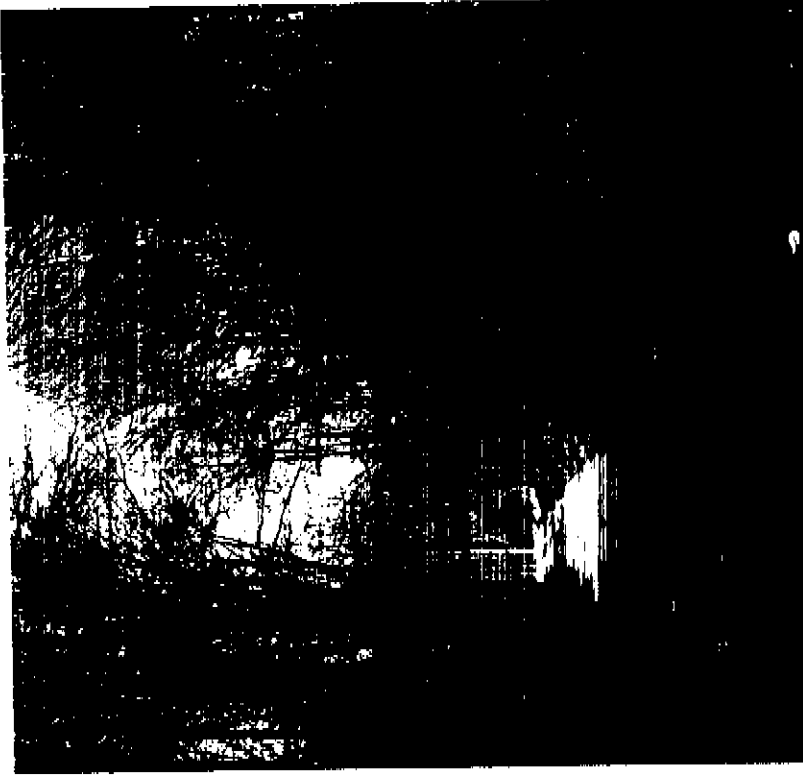
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CLARKE

D.R. 2

REDUCTION

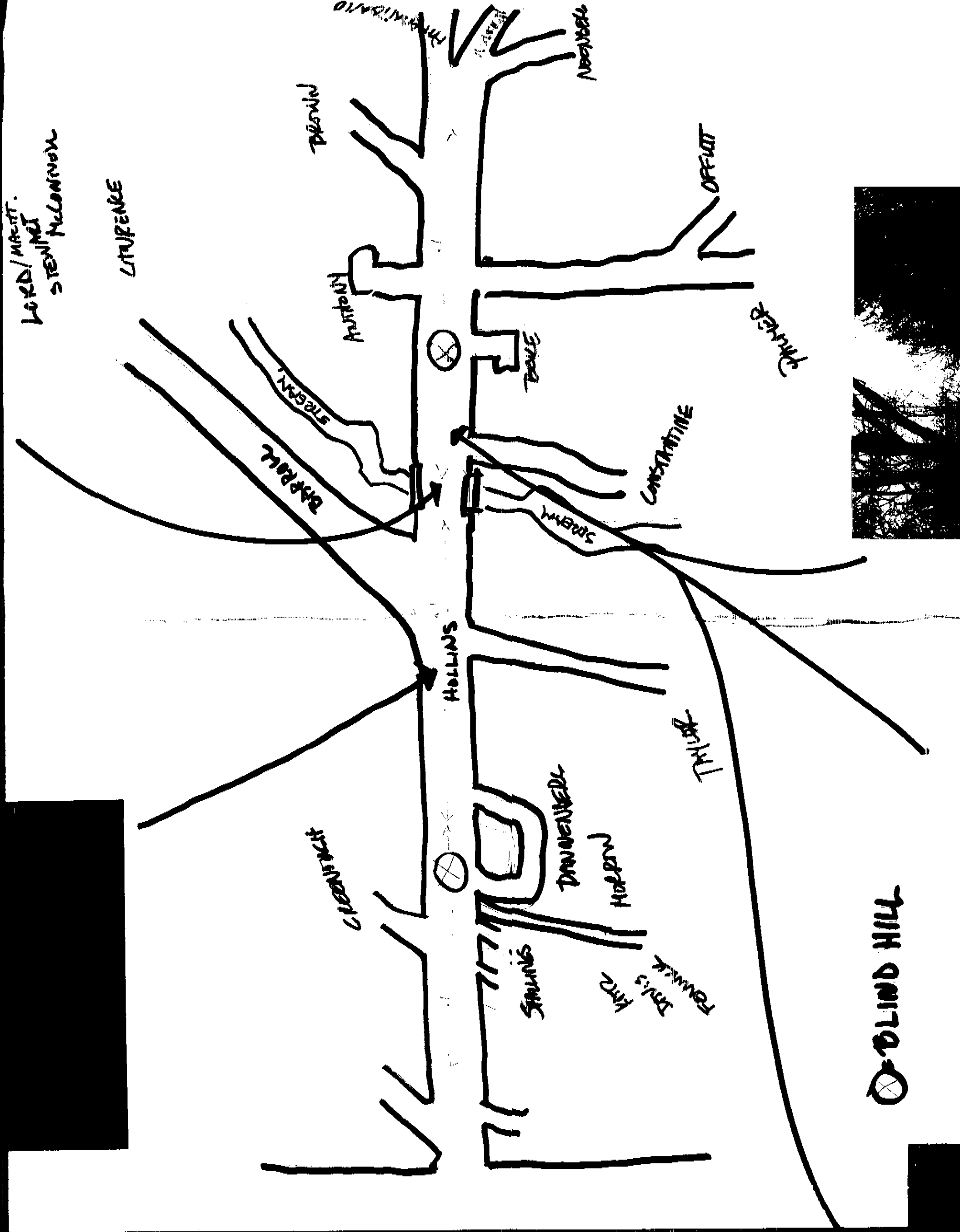
HOLLINS LA. LOOKING TOWS. FALLS RD.
(FIRST BLIND HILL)



HOLLINS LA/BARROLL RD.
STREAM BED.
(LOOKING TOWS FALLS RD.)



DRIVE SLOW PLEASE!



BLIND HILL



HOLLINS LA/BARROLL RD. LOOKING
TOWS 2ND BLIND HILL.



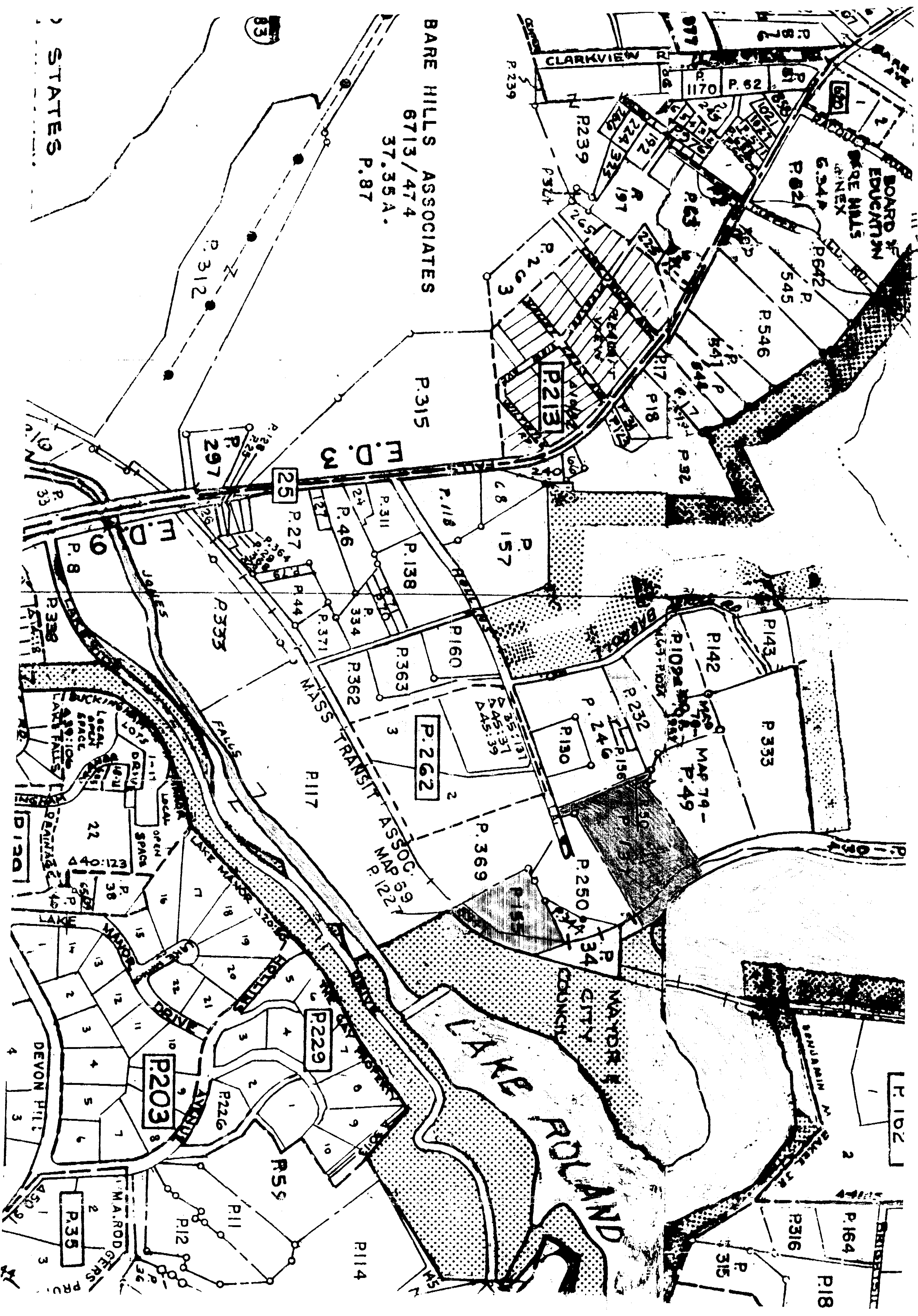
STREAM BED/HOLLINS LA.
LOOKING TOWS. HOLLINS

2ND BLIND HILL



MICROFILMED

PETITIONER'S
EXHIBIT 8

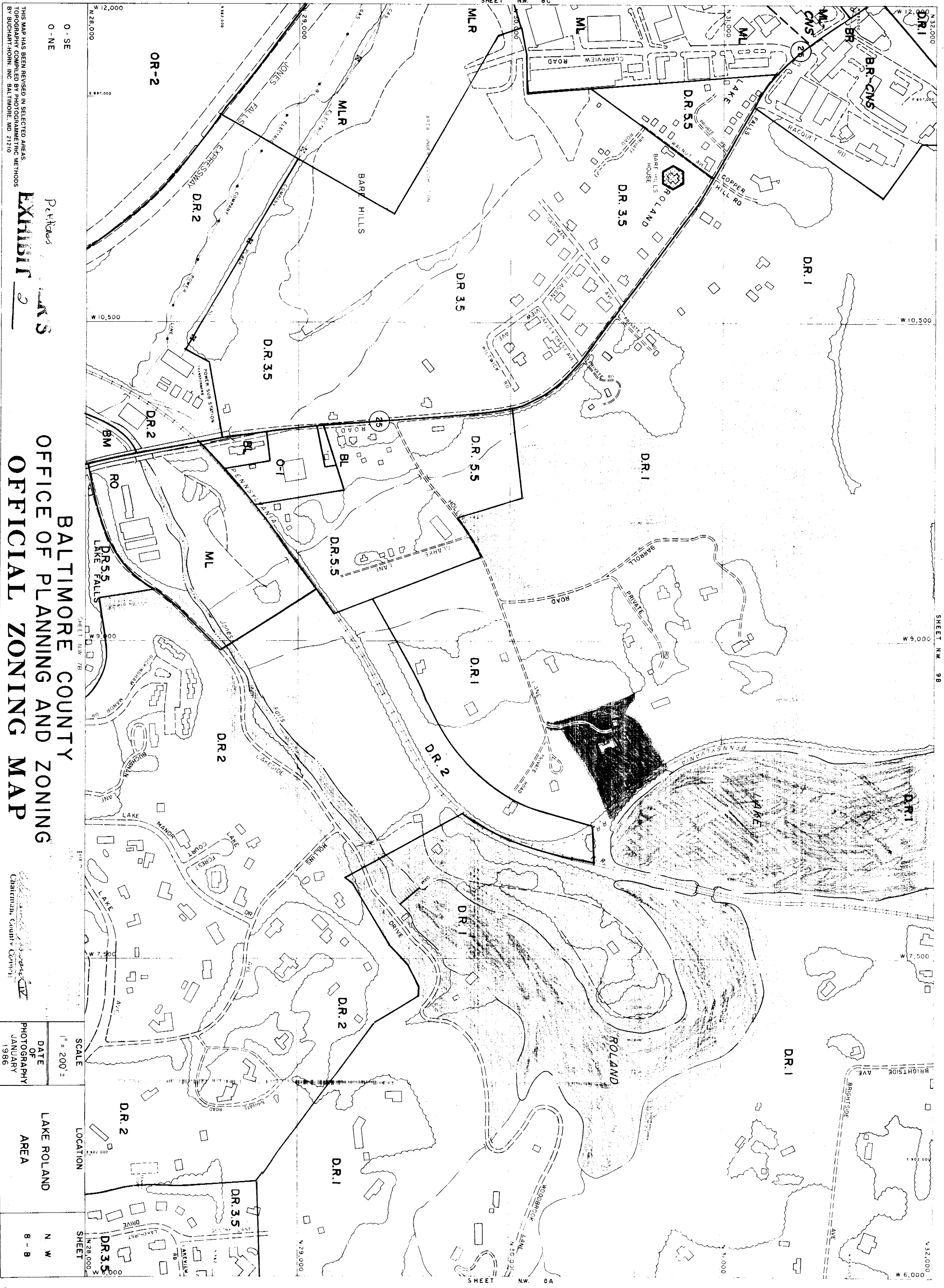


BARE HILLS ASSOCIATES
6713/474
37.35A.
P.87

STATES

14.3

CONVEYANCE



0 - SE
0 - NE

Petition
LAKES
Exhibit 2

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

Chairman, County Council

SCALE 1" = 200'	LOCATION LAKE ROLAND AREA	SHEET N W 8 - B
DATE OF PHOTOGRAPHY JANUARY 1986		

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Hollins Lane, 1750' E of * DEPUTY ZONING COMMISSIONER
the c/l of Falls Road *
(1102 Hollins Lane) * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District * Case No. 95-313-SPH
The Lake Roland Protective Assoc. and
The Ruxton-Riderwood-Lake Roland * Petitioners
Area Improvement Assoc., Inc. - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by The Lake Roland Protective Association, by Sarah F. Lord, President, and The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., by Patricia L. Zouck, President, seeking a determination that the use of the subject property by its owner, Leslie D. Brown, as a professional office for a psychotherapy practice, without benefit of a special exception and/or a special hearing to approve such use, is illegal. The subject property, which is zoned D.R.1, is located in the vicinity of Ruxton on the north side of Hollins Lane in close proximity to Lake Roland.

Appearing on behalf of the Petition were Sarah F. Lord and Patricia Zouck, who filed the instant Petition on behalf of the Lake Roland Protective Association and the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., respectively, and numerous other residents of the area, all of whom signed the Petitioner's Sign-In Sheet. The Petitioners were represented by Henry R. Lord, Esquire. Appearing on behalf of the property owner were Robert A. Hoffman and C. Carey Deeley, Attorneys at Law who appeared on behalf of Ms. Brown. Maria McMacken, a nearby resident of the area also attended the hearing. Ms. Brown, although subpoenaed to appear at the hearing, chose not to attend.

At the preliminary stage of the hearing, Mr. Hoffman raised several jurisdictional motions, asserting, in essence, that this case was not properly before me and that proper advertising had not taken place. After considering the arguments made by all Counsel and reviewing the applicable law, I hereby find that Mr. Hoffman's Motions should be denied and a decision should be rendered on the merits of the request.

Testimony and evidence offered revealed that the subject property is located on the north side of Hollins Lane near the end of this street and is highlighted in Red on Petitioner's Exhibit 2, a zoning map of Baltimore County. Hollins Lane is a dead-end street on east of Falls Road in the Ruxton area of Baltimore County. The owner of the property, Leslie D. Brown, is alleged to be operating a psychotherapy practice thereon.

As noted above, many residents of the surrounding community attended the hearing on this matter. A great deal of testimony was offered by the residents who chose to testify. Testimony was taken from Nancy Horst, James Offutt, Jane Lawrence, Henry Holmes, Helga Morrow, William and Kay McConnell, Mary Carroll Rose, Neil Constantine, Sarah F. Lord and Timothy Pitts. Based upon the testimony and evidence offered by these residents, it was clear to this Deputy Zoning Commissioner that the owner of the subject property, Leslie D. Brown, has, on occasion, practiced psychotherapy from her home. The basis for this finding was the testimony offered by the residents as to the amount of traffic coming from the Brown property at half-hour intervals, as well as the fact that Ms. Brown admitted to these residents, as well as Timothy Pitts, the Zoning Inspector for this area of Baltimore County, that she was seeing patients in her home. As noted earlier in this opinion, Ms. Brown chose, for whatever reason, not to attend the hearing before me to offer any testimony or evidence to

the contrary. Furthermore, there was no testimony or evidence presented to indicate that a special exception or special hearing to approve such use of the subject property has ever been requested.

After due consideration of the facts and evidence presented, I find as fact that Ms. Brown has, on occasion, practiced psychotherapy from her residence. Furthermore, there has never been a special exception or any type of special hearing requested by this property owner or any prior owner, which would permit the practice of psychotherapy on the premises. Therefore, I find that Ms. Brown has practiced psychotherapy from the subject property without prior zoning approval and has, therefore, been in violation of the B.C.2.R.

When carefully reading the special hearing relief requested by the Petitioners in the instant case, I have only been asked to make a finding that the subject property has been used as a professional office by the owner of the property for her psychotherapy practice. I have made such a finding and will so Order. All in attendance, including Counsel for Ms. Brown, agreed that the practice of psychotherapy on the subject property cannot take place without the benefit of a special exception or a special hearing being granted. Therefore, any further use of the subject property as a professional office by Ms. Brown must cease immediately.

The many residents who took time from their busy schedules to attend this two-day hearing before me were hoping that I, in my capacity as Deputy Zoning Commissioner, could force Ms. Brown to cease operating her psychotherapy practice at this location. I explained to Counsel for the Petitioners that I am without authority to prevent Ms. Brown from doing so. I can only answer the specific special hearing request before me. In order to prevent Ms. Brown from using her property for a professional

office, the Petitioners must request the Zoning Enforcement Division of the Office of Permits and Development Management (PDM) to intervene in this matter and prosecute Ms. Brown in the District Court of Maryland. The facts and evidence presented to me at the hearing clearly indicate that this case should have gone directly to District Court as a zoning violation case.

I cannot understand why the Petitioners brought this matter before the Zoning Commissioner's Office. While I have answered the question posed to me within the Petition filed, it does little to solve the problem that exists in this neighborhood. These residents should insist that Zoning Enforcement continue to investigate this matter and prosecute the owner in District Court in the event the operation of a professional office from the subject property continues.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of June, 1995 that the owner of the subject property has used the property as a professional office for a psychotherapy practice without benefit of a special exception or special hearing to approve such use, and as such, the Petition for Special Hearing is GRANTED; and,

IT IS FURTHER ORDERED that utilizing the property in this manner is illegal and must cease immediately.

Timothy H. Kotroco
TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1995

(410) 887-4386

Henry R. Lord, Esquire
6134 Barroll Road
Baltimore, Maryland 21209

RE: PETITION FOR SPECIAL HEARING
N/S Hollins Lane, 1750' E of the c/l of Falls Road
(1102 Hollins Lane)
9th Election District - 4th Councilmanic District
The Lake Roland Protective Assoc. and The Ruxton-Riderwood-Lake Roland Area Improvement Assoc., Inc. - Petitioners
Case No. 95-313-SPH

Dear Mr. Lord:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

Timothy H. Kotroco

TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: Robert A. Hoffman, Esquire
C. Carey Deeley, Esquire
Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, Md. 21204

The Ruxton-Riderwood-Lake Roland Area Improvement Assoc., Inc.
P.O. Box 204, Riderwood, Md. 21139

People's Counsel

File



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 1102 Hollins Lane, 21209
which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned

hereby petition for a Special Hearing under Section 500.6 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner

shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted

Upon filing of this petition, we agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Leave

Type of Petition

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

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Signature

Signature

Signature

Signature

Signature

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Signature

Signature

Signature

Signature

Signature

Signature

Signature

Protestant
Sarah F. Lord, President
*THE LAKE ROLAND PROTECTIVE ASSOCIATION

Patricia L. Zouck, President
THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

*6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

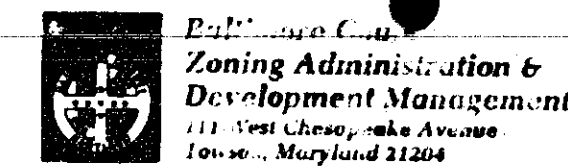
6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address

6134 Barroll Rd., Baltimore, MD 21209
Address



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-313-SPH

Account # 001-6180

Number

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Date 3/6/95

The Lake Roland Protective Assoc.
The Ruxton-Riderwood-Lake Roland Area
Improvement Assoc.

030 - Special Hearing - \$50.00
in advertising - \$0.00
Total - \$50.00

8340391247CHRE
\$1,500.00 8340391247CHRE
\$50.00

Quality Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March
May 20, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 105 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-313-SPH (Item 305)

1102 Hollins Lane
N/S Hollins Lane, 1750' E of c/l Falls Road
9th Election District - 4th Councilmanic
Legal Owner(s): Leslie D. Brown
Petitioner/Protestant: The Lake Roland Protective Association & The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.
HEARING: TUESDAY, APRIL 11, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted.

Call John

Arnold Johnson
Director

cc: The Lake Roland Protective Association/Sarah F. Lord
Leslie D. Brown, LCSW

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 20, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-313-SPH (Item 305)
1102 Hollins Lane
N/S Hollins Lane, 1750' E of c/l Falls Road
9th Election District - 4th Councilmanic
Legal Owner(s): Leslie D. Brown
Petitioner/Protestant: The Lake Roland Protective Association & The Buxton-Hilderwood-Lake Roland Area Improvement Association, Inc.
HEARING: THURSDAY, APRIL 11, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted.

Carl Jahn
Arnold Jablon
Director

cc: The Lake Roland Protective Association/Sarah F. Lord
Leslie D. Brown, LCSW

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

FILED
APR 11 1995
32

Printed with copyright on ink
on this page.

William B. Greenough, III
1300 Hollins Lane
Baltimore, MD 21209

Sarah Lord
President, Lake Roland Protective Association
6134 Barroll Road
Baltimore, MD 21209

23 April 1995

Dear Sarah,

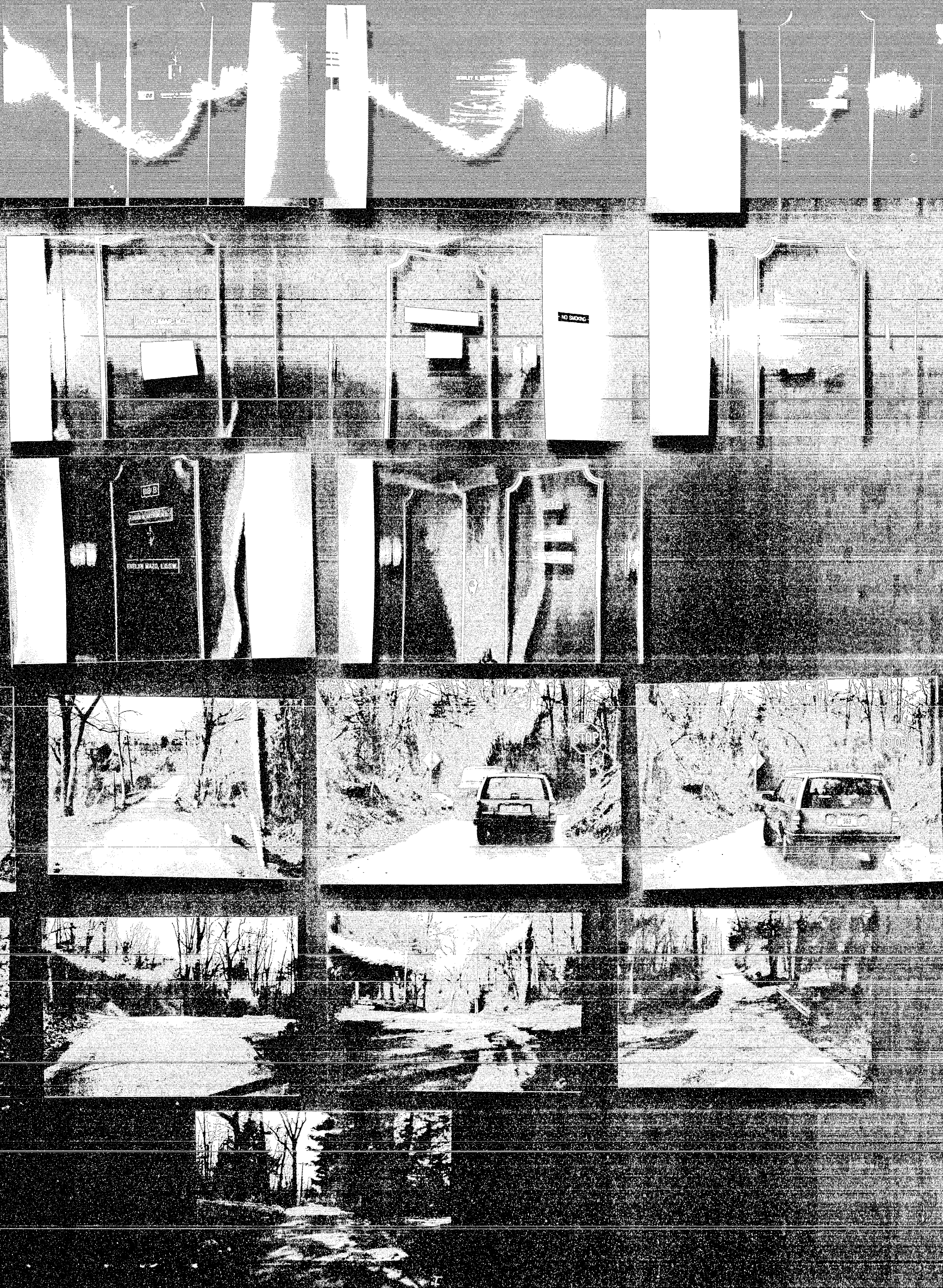
Since I may not be able to attend another hearing on the matter of Leslie D. Brown using a separate office by her house as a place of business for seeing her patients as a psychotherapist, I wanted to give you this comment in writing should it be useful in obtaining a cease and desist order and action.

Our property and driveway abut on Hollins Lane opposite Mr. Stollings house and driveway. Increased traffic along Hollins Lane by people unfamiliar with how narrow and blind it is has resulted in several very near accidents. On at least one occasion I have nearly been struck as I attempted to crest the hill and turn into our driveway by strangers to our neighborhood. I have also heard the screech of brakes and seen tire marks where others have nearly collided at our driveway. Across the street are the Danenbergs with small children who play near or in Hollins lane with cycles and skates. Clearly any increase in traffic especially by those unfamiliar with our neighborhood and with no stake in it is dangerous. Thus I would strongly urge that no business activity be permitted. Especially no business that engenders an increase in traffic into and out of Hollins Lane. It is my understanding that our zoning prohibits any such activity. It is essential that it be enforced for the safety of all especially the many smaller children who use our streets.

My wife and I strongly support a firm stand to see that laws which are for the benefit of all are not ignored for the selfish wishes of a single neighbor. Do let us know if we can help in any way. We both appreciate your efforts and realize how unpleasant and taxing it has been for you to pursue this matter as has been forced by the unwillingness of Dr. Brown to cease her business in the neighborhood.

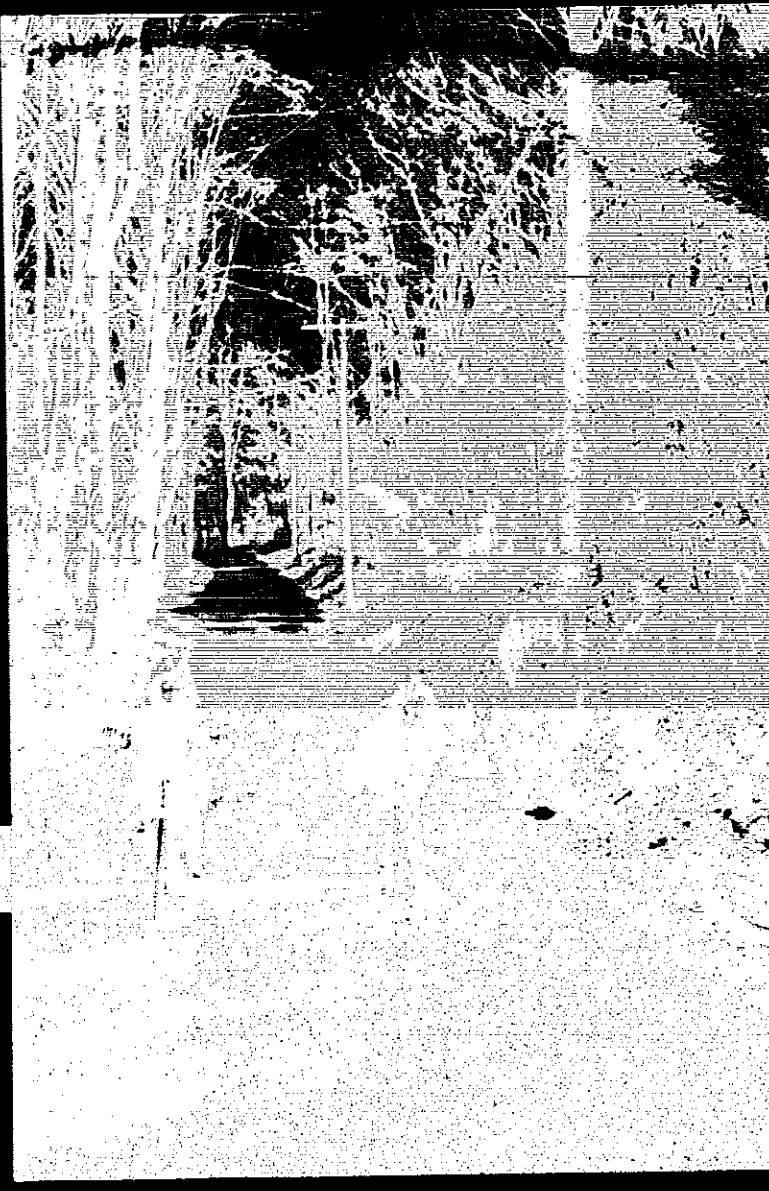
Sincerely yours,
W.B.G.
William B. Greenough, III, M.D.

PS We both appreciate your efforts!
Baruch

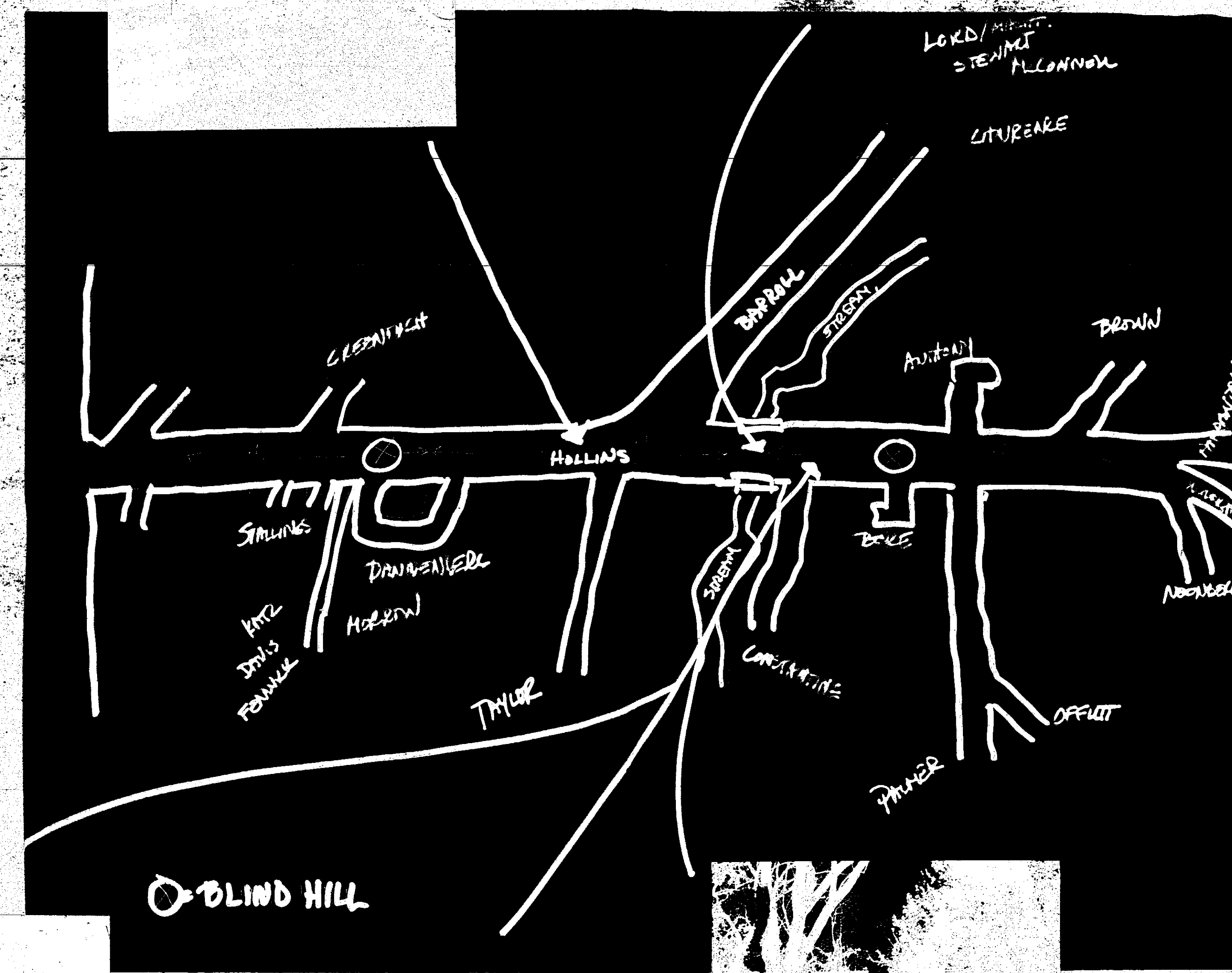


DRIVE SLOW PLEASE!

HOLLINS LA. LOOKING TOWS. FALLS RD.
(FIRST BLIND HILL)



HOLLINS LA./BARROLL RD.
STREAMBED,
(LOOKING TOWS FALLS RD.)



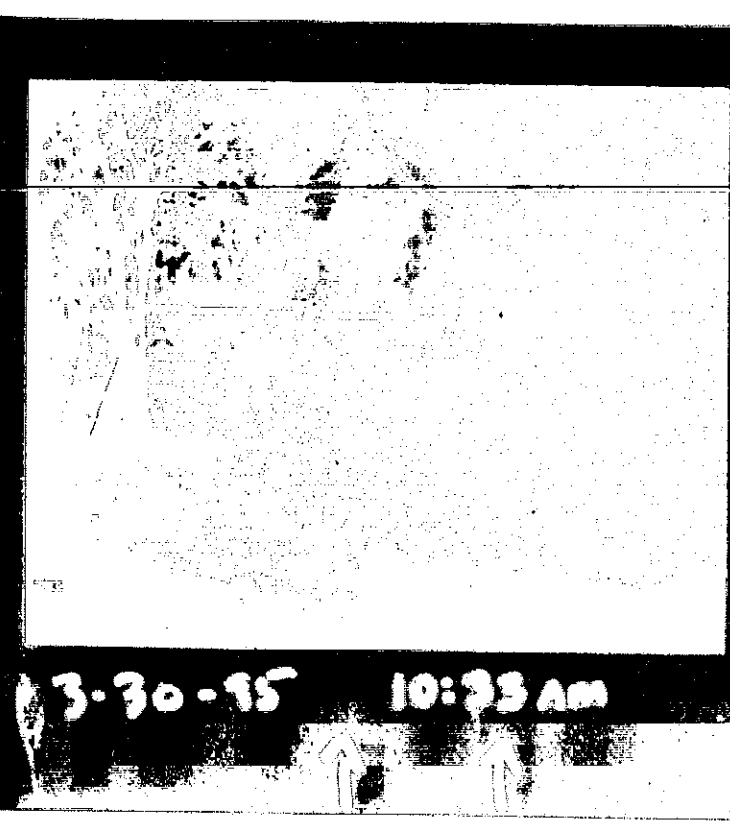
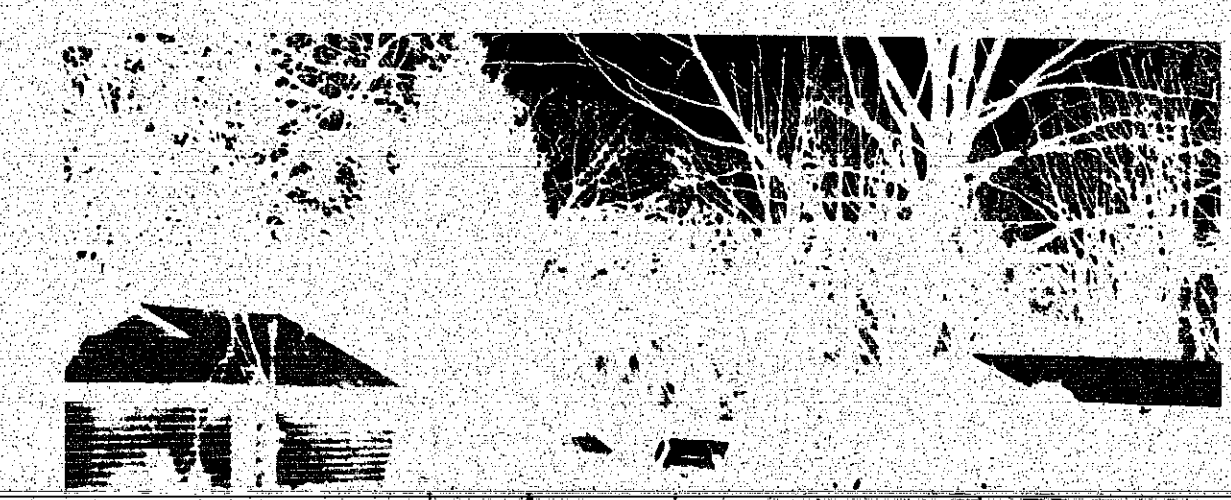
HOLLINS LA./BARROLL RD. LOOKING
TOWS 2ND BLIND HILL.



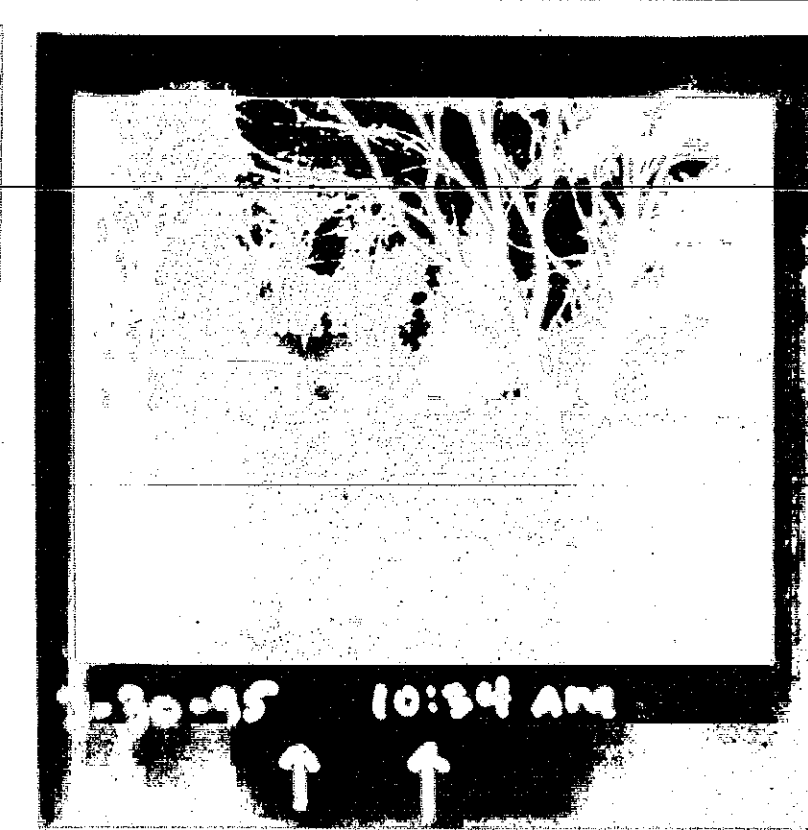
STREAM BED/HOLLINS LA.
LOOKING TOWS. HOLLINS

2ND BLIND HILL

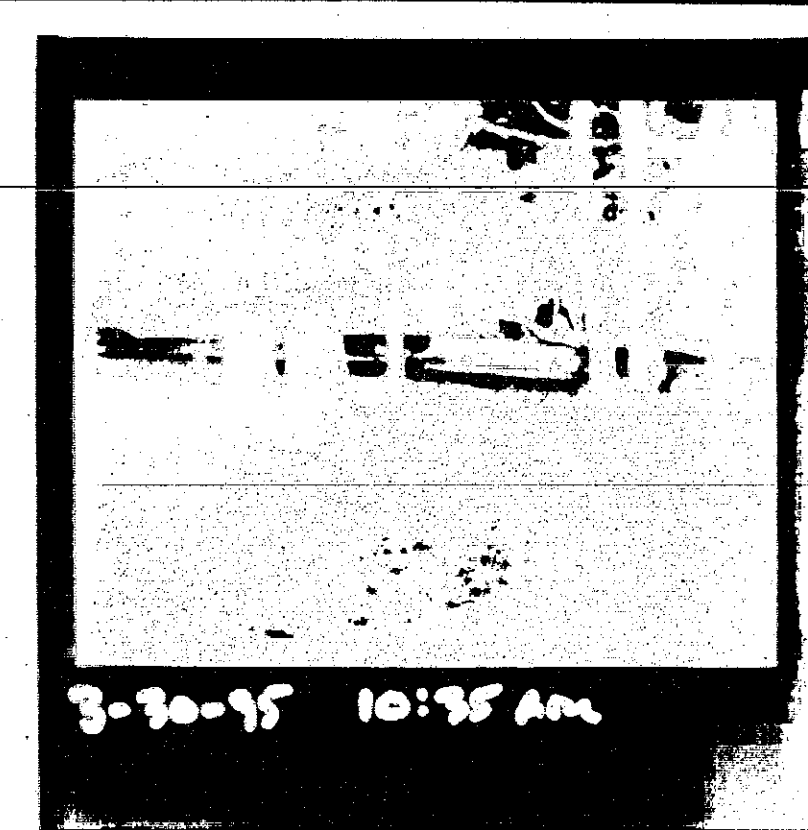
PETITIONER'S
EXHIBIT 8



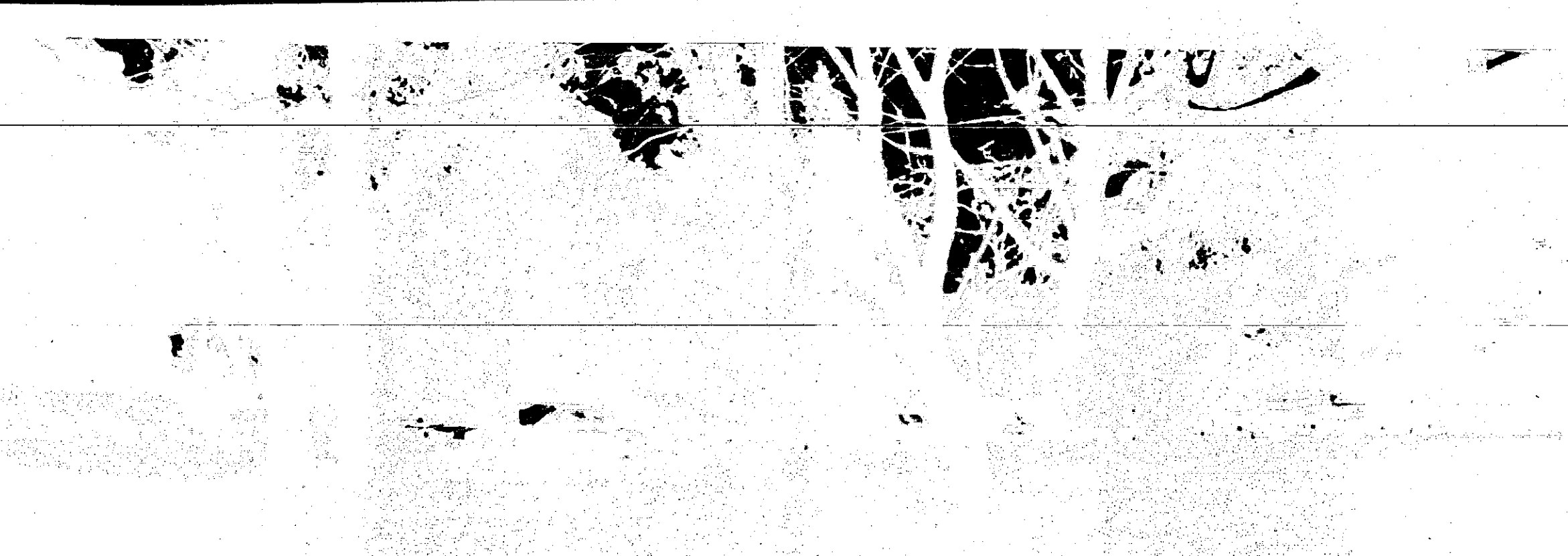
3-30-95 10:33 AM

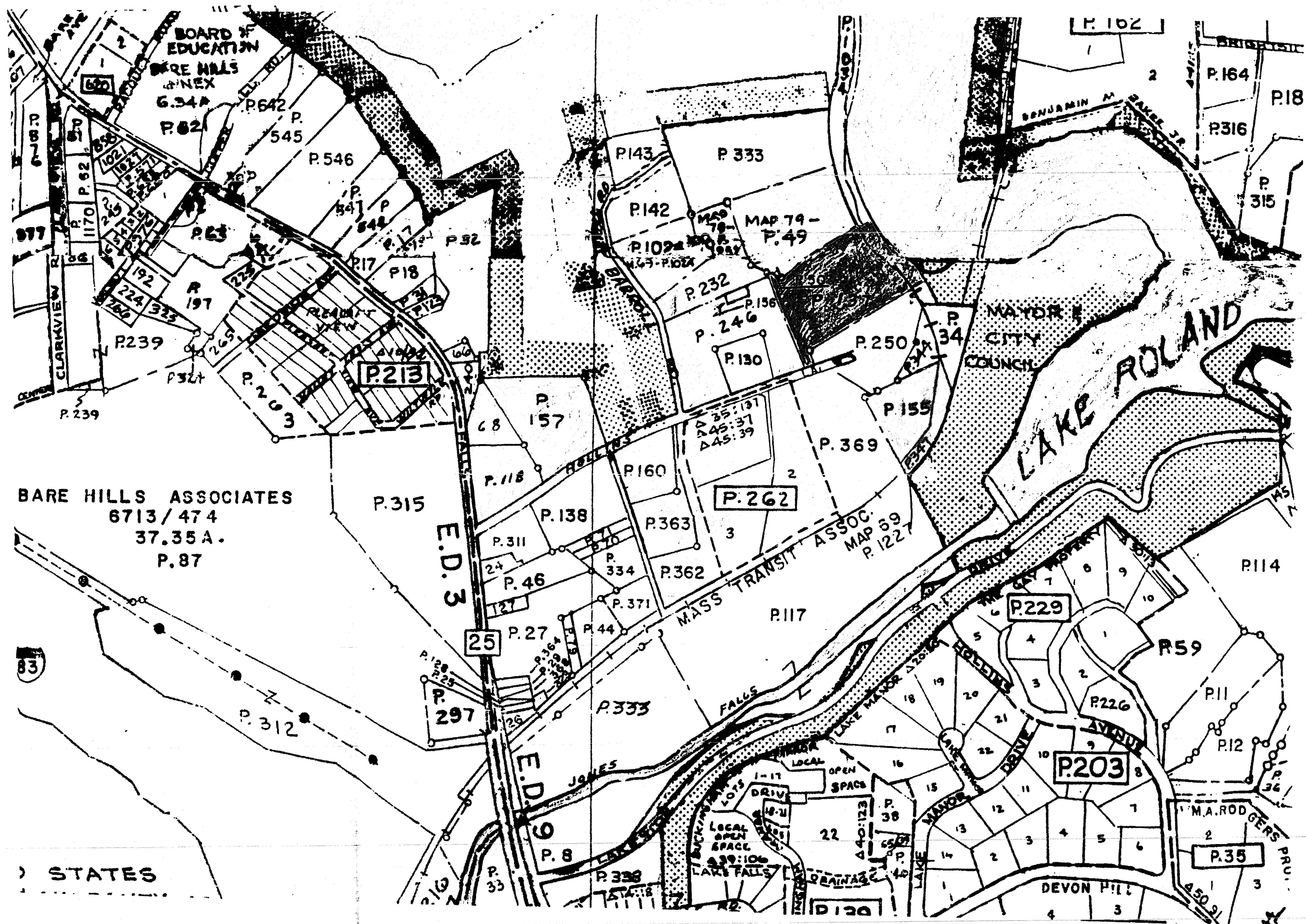


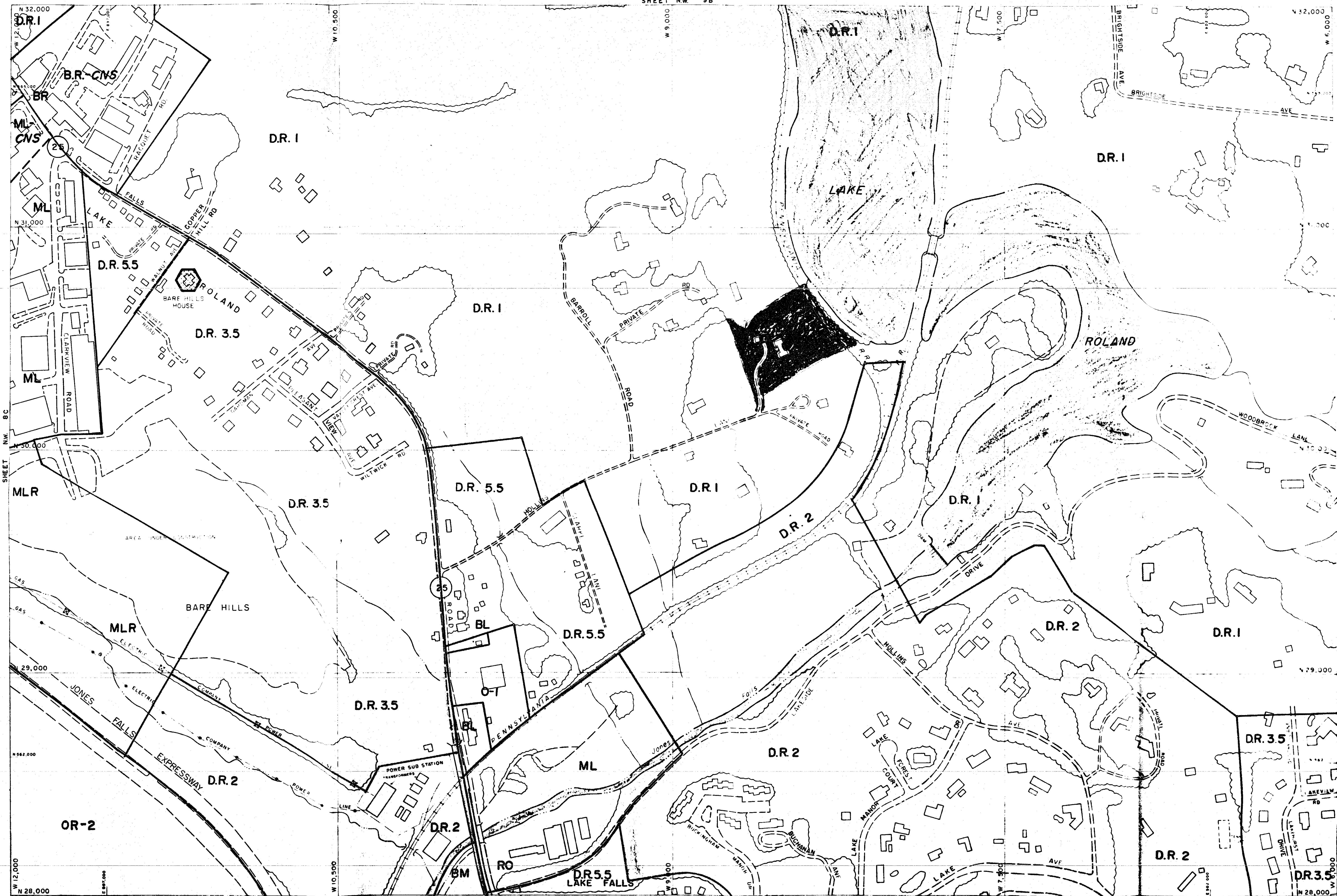
3-30-95 10:34 AM



3-30-95 10:35 AM







0 - SE
0 - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

EXHIBIT 2

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

William A. Howard IV
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'	LAKE ROLAND	N W
DATE OF PHOTOGRAPHY	AREA	B - B
JANUARY 1986		

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 3, 1995

Ms. Sarah F. Lord, President
The Lake Roland Protective Association
6134 Barroll Road
Baltimore, Maryland 21209

RE: Item No.: 305
Case No.: 95-313-SPH
Petitioner: Lake Roland Assoc.
Owner: L. D. Brown, LCSW
1102 Hollins Lane

Dear Ms. Lord:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: March 30, 1995

SUBJECT: 1102 Hollins Lane

INFORMATION:

Item Number: 305

Petitioner: The Lake Roland Protective Association

Property Size:

Zoning: D.R.-1

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of a Special Exception and/or Special Hearing being granted.

The subject request for a determination is somewhat unusual in that the hearing before the Zoning Commissioner will more than likely be more characteristic of a violation hearing. It is apparent through a review of Case No. C-95-1046 that the Zoning Enforcement section of ZADM believes it does not have enough evidence to proceed with a citation. However, it is the position of the community association that the property owners continue to violate the Zoning Regulations.

To comment on the instant Petition at this time would be tantamount to passing judgement without complete knowledge of the facts. The relevant issue before the Zoning Commissioner is whether the property is being used as a professional office; not if such use would be appropriate. Therefore, staff will withhold

ITEM305/PZONE/ZAC1

Pg. 1

comment on the appropriateness of a professional office at the subject location at this time.

Prepared by:

Division Chief:

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 27, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for March 27, 1995
Items 305, 306, 308, 310, 311, 312 and 313

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

ITEM305/PZONE/ZAC1

Pg. 2

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 20, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 304, 305, 306, 307, 308, 310, 311, 312 AND 313. 1

RECEIVED
MAR 24 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-110EF

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 3/20/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 3/20/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 305 ✓
306
308
311
312

LS:sp

LETTY2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 305 (MTK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-8258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 6, 1995

SUBJECT: 1102 Hollins Lane

INFORMATION:

Item Number: 305

Petitioner: The Lake Roland Protective Association

Property Size:

Zoning: D.R.-1

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of a Special Exception and/or Special Hearing being granted.

The subject request for a determination is somewhat unusual in that the hearing before the Zoning Commissioner will more than likely be more characteristic of a violation hearing. A review of Case No. C-95-1046 reveals that the Zoning Enforcement section of ZADM is continuing to investigate the alleged violation. Based on personal observation, it is the position of the members of the community association that the property owners are in violation of the Baltimore County Zoning Regulations.

To comment on the instant Petition at this time would be tantamount to passing judgement without complete knowledge of the facts. The relevant issue before the

ITEM305/PZONE/ZAC1

Pg. 1

Zoning Commissioner is whether the property is being used as a professional office; not if such use would be appropriate. Therefore, staff will withhold comment on the appropriateness of a professional office at the subject location at this time.

Prepared by: *J. W. Long*
Division Chief: *Edryl Kern*
PK/JL

ITEM305/PZONE/ZAC1

Pg. 2

PETITION PROBLEMS - AGENDA OF 3/205

#304 -- JRA

1. No address, zip code, or telephone number for legal owner.
2. No authorization for person signing for legal owner.
3. Review information on petition form not completed.

#305 -- MJK

1. Need attorney - improvement association is incorporated.

#307 -- JCM

1. No telephone number for legal owner.

#309 -- MJK

1. No telephone number for legal owner.

BALTIMORE COUNTY, MARYLAND Inter-Office Memorandum

DATE: March 8, 1995
TO: File
FROM: Mitchell J. Kellman
Planner II, ZADM
SUBJECT: Item #305
1102 Hollins Lane

This petition was filed against the property owner of 1102 Hollins Lane. There is no advertising, however, the owner of the subject property should be notified of the hearing date along with the protestants.

Also, there was not enough information given so that the property on the 200 scale cannot be outlined (not within a recorded subdivision).

MJK:scj

IN RE: ~~XXXXXXXXXX~~ SPECIAL HEARING ON ILLEGAL PROFESSIONAL OFFICE OF PSYCHOTHERAPIST, LESLIE D. BROWN, LCSW, IN D.R.-1 ZONE, WITHOUT A SPECIAL EXCEPTION

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-313-SPH (Item 305)

TO: LESLIE D. BROWN, LCSW
AND 1102 Hollins Lane
SERVE Baltimore, MD 21209
ON

SUBPOENA AND SUBPOENA DUCES TECUM

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, MD 21204 at 2:00 p.m.

and to bring [see attached list of subpoenaed documents and records]

on the 11th day of APRIL 1995, regarding the above captioned case, for the purpose of testifying and producing documents and records at the request of The Lake Roland Protective Association, Inc. and of The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

Sarah F. Lord
Sarah F. Lord

XXXXXXXXXXXX/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

James E. Schmidt
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: April 6, 1995

LIST OF SUBPOENAED DOCUMENTS AND RECORDS

1. Copy of your professional office space lease, designating your office suite, at 1190 West Northern Parkway, Baltimore, Maryland 21210, effective on or about November 1, 1994.
2. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1102 Hollins Lane during the period August 1, 1994 to and including April 11, 1995.
3. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at The Colonnade, 4 West University Parkway, Baltimore, Maryland 21210 during the period May 15, 1994 through October 31, 1995.
4. Copy by date and hour, but not by patient name, of your schedule of all professional patients seen by you at your office at 1190 West Northern Parkway, or at any professional office other than 1102 Hollins Lane during the period November 1, 1994 to and including April 11, 1995.
5. Copy of the O'Connor, Piper & Flynn brochure advertising 1102 Hollins Lane as a place perfect for a small office as you had planned.
6. Copy of all architect's plans, drawings, and elevations prepared at your direction for professional office renovations to the separate building at 1102 Hollins Lane. Include copies of all bills from all architect and all contractors of any sort performing that work as well as copies of all permits of any sort applied for and received from the County.
7. Copies of all monthly telephone bills for your office telephones at 410-532-2696 and 410-583-0458.
8. Copy of your dated notification to the State Board of Social Work Examiners informing it of your change in professional office address as of November 1, 1994.

April 6, 1995

RE: PETITION FOR SPECIAL HEARING
1102 Hollins Lane, N/S Hollins Lane,
1750' E of c/l Falls Road, 9th
Election District, 4th Councilmanic
Legal Owner(s): Leslie D. Brown

The Lake Roland Protective Association &
The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.
Petitioners

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1995, a copy of the foregoing Entry of Appearance was mailed to Sarah F. Lord, The Lake Roland Protective Association & The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., 6134 Barroll Road, Baltimore, MD 21209, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

THE LAKE ROLAND PROTECTIVE ASSOCIATION # 305

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

The Honorable Lawrence E. Schmidt
Zoning Commissioner
Baltimore County Office of Zoning Administration
400 Washington Avenue, Room 112
Old Courthouse
Towson, Maryland 21204

Dear Commissioner Schmidt:

On January 17, 1995, Zoning Inspector Timothy Fitts advised Leslie D. Brown, LCSW, that she was in "apparent violation" of "Sections 101 'Home Occupation' 102.1: 1B01.1A: 1B01.1.C.9B of the Baltimore County Zoning Regulations."

Inspector Fitts advised Mrs. Brown and her husband C. Christopher Brown, that they must "cease operation of a professional office or petition for a special exception for such use... [which office] must be established in the same building as that serving as the professional person's primary residence."

Inspector Fitts further noted that Mrs. Brown's "correction should be completed by February 17, 1995, or a citation may be issued... imposing monetary fines of \$200 per day, per violation..."

This Association hereby petitions for a Special Hearing before the Zoning Commissioner regarding this matter (C-05-1046). We think it appropriate that fines of \$200 per day per violation be imposed on Leslie Brown, beginning October 31, 1994 (when she knowingly and improperly initiated her psychotherapy practice at her residence, 1102 Hollins Lane).

We unhappily note that Mrs. Brown:

- 1) continued unabated and still continues to treat her psychotherapy patients daily at 1102 Hollins Lane, zoned DR 1;

THE LAKE ROLAND PROTECTIVE ASSOCIATION # 305

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

Arnold E. Jablon, Esquire
Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Director Jablon:

Following Zoning Enforcement's Zoning Violation Correction Notice of 1/17/95 to Leslie D. Brown, LCSW (Case C-95-1046, Inspector Timothy Fitts) and Mrs. Brown's refusal to comply, our association is compelled to petition for a special hearing before the Zoning Commissioner.

We would be most grateful for your office's assistance in this matter. We hope, given the facts of the case and Mrs. Brown's defiance of Baltimore County Zoning Regulations, that you will urge the Commissioner to grant our community association, represented by counsel, a hearing. We are hoping for a hearing at everyone's earliest possible convenience.

Any assistance you can render in the preparation of this case we will very much appreciate.

Sincerely,
Sarah F. Lord
Sarah F. Lord
President
(410) 828-4355

SL/r16993

6134 Barroll Road
Baltimore, Maryland 21209

April 10, 1995

RECEIVED
APR 13 1995
ZONING COMMISSIONER

Dear Doug:

Also, tomorrow afternoon we get our long-awaited hearing before Deputy Zoning Commissioner Timothy M. Kotroco, regarding the busy psychotherapy practice set up almost six months ago now by a recent arrival to the neighborhood, Leslie D. Brown, LCSW, in the separate "office building" she has created at 1102 Hollins Lane, zoned DR-1.

As you informed us, the Zoning Enforcement Inspector for our area is Timothy Fitts. We were initially frustrated several months ago that Mr. Fitts did little to focus upon and investigate Mrs. Brown's violations, and seemed to take her at her word when she told him: 1) that her professional office was in the Belvedere Towers at Northern Parkway and Falls Road; 2) that she was "volunteering" her time pro bono with just

APP 10 '95 16:22 FROM P-EP-MARBURY TO 18#5#8803468# PAGE.001 003

LAKE ROLAND PROTECTIVE ASSOCIATION
6134 BARROLL ROAD
BALTIMORE, MARYLAND 21209-2202
410-828-4355

FACSIMILE COVER SHEET

From: Sarah F. Lord
Company: Lake Roland Protective Association
Phone: 828-4355
Fax:

Date: April 10, 1995

Comments:

The information contained in this facsimile message is confidential and, if addressed to our client or certain counsel, is subject to the attorney-client or work product privilege and is intended only for the use of the individual or entity named above. If the recipient of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the U. S. Postal Service.

PIPER & MARBURY
L.L.P.

HENRY R. LORD
(410) 576-1602
FAX: (410) 576-5016

CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3018
410-539-2530
FAX 410-539-0489

June 19, 1995

Leslie D. Brown, 1102 Hollins Lane
9th Election District—4th Councilmanic District
Case No. 95-313-SPH (Item 305)

Petitioners/Protestants: Lake Roland Protective Association ("LRPA")/
Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. ("RRLRAJA")

Dear Commissioner Kotroco:

"[a] Special Hearing to determine whether or not the Zoning Commissioner shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted."

The Notice issued upon the Petition for a Special Hearing before the Zoning Commissioner made to the Director by Petitioners/Protestants' letter of March 3 and by

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NW ADDRESS

SARAH F. LORD
Pres. Lake Park Protective Assn

REBERT MACHT

Pamela Macht
James Offutt
Ned Gustafine

DORRY TOOLE
F. LEE ANTHONY
Maria McMacken
Quanita Greenough
William B Greenough
M. Crist Rose (Palmer Henshield)

Kathryn McCannell
CAROLINE HARRISON
Henry Hennessey
Dorothy Woodstock
Louise Hildreth
LAURIE G. LONG
Emma G. Bright
GLADYS G. REED
Valerie M. Brown
JANE S.B. LAURENCE
Helen M. Morrow
RICHARD MORROW
Henry R Long

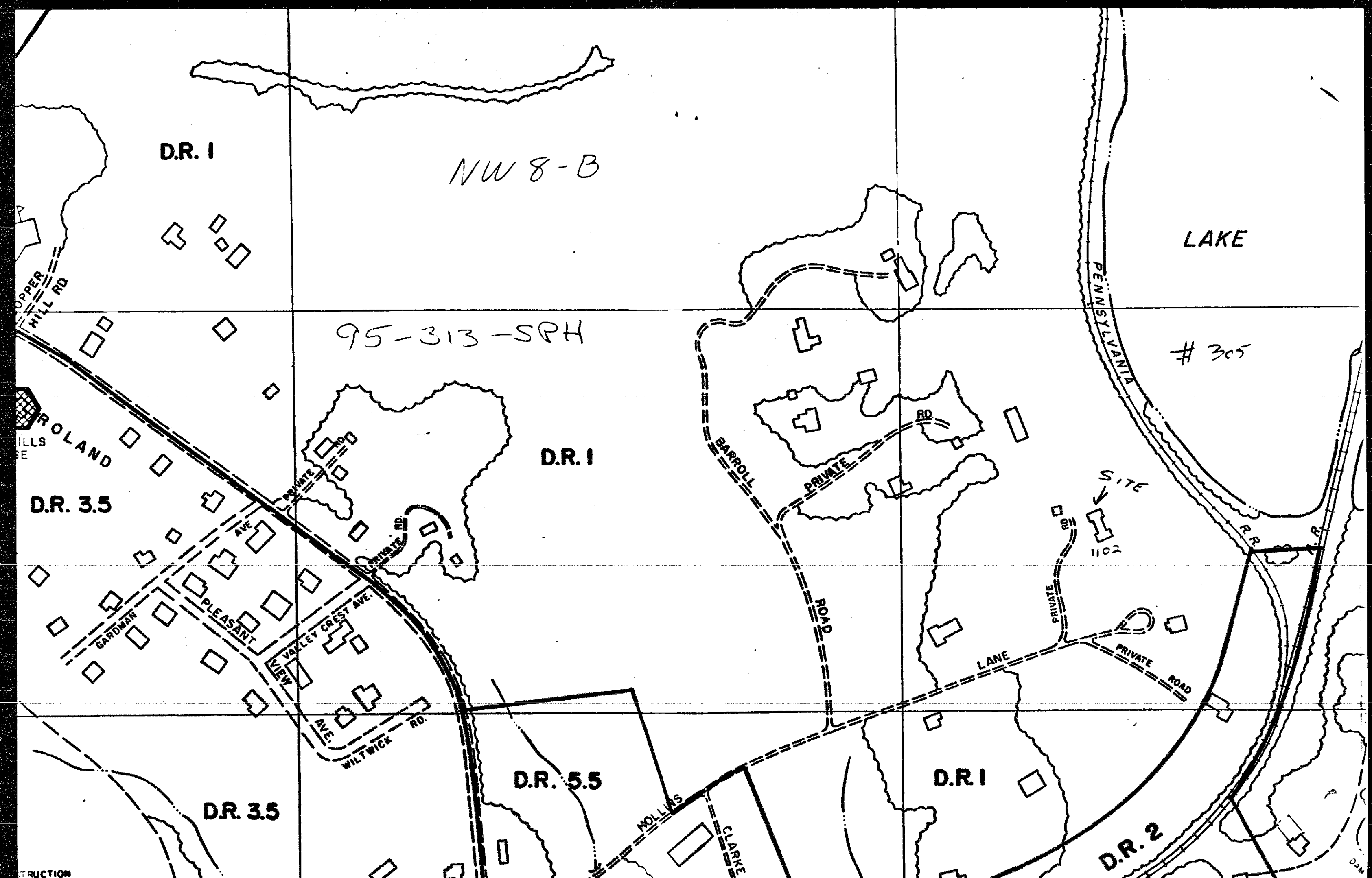
6134 Barrell Rd 21209
828-4355

6140 BARRELL RD. 21209
583-1631

6140 Barrell Rd 21209 583-1631
1111 Hollins Lane
1117 Hollins Lane 21209
1115 HOLLINS LANE 21209
1110 HOLLINS LA. 21209
1101 Hollins Lane 21209
1300 Hollins Lane 21209
1300 Hollins Lane 21209
1113 Hollins Lane 21209
6141 Barrell Rd 21209
1100 HOLLINS LA. 21209
3 WOODBURY CT 21212
7819 Elkman Ave. 21204
912 Roland Ave Rd. 21204
R.R. 1 BOX 204 ZIPERWOOD, MD 21139
14116 Gardman Ave 21209
1415 GARDMAN AVE 21209
6609 Pleasant Yr Ave 21129-2143
6137 BARRELL RD. 21209
1203 Hollins Lane 21209
1203 Hollins Lane 21209
6134 Barrell Rd 21209

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

[illegible]

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA
IMPROVEMENT ASSOCIATION, INC.

RESOLVED: That at the ____ annual ____ meeting of the
RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION
held on May 25, 1994, it was decided by the
Association that responsibility for review and action on all zoning matters for the period
May, 1994 through May 1995 be placed in the (Board of Directors) (Zoning
Committee) consisting of the following members:

Patricia L. Zouck	John Dahne
Nancy W. Horst	Henry Homes, III
Laurie S. Long	George Grose

AS WITNESS OUR HAND AND SEAL THIS 27 day of
MARCH, 1995.

Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.

ATTEST:

Jessie M. Whigga
Secretary

Patricia L. Zouck
President

PETITIONER'S
EXHIBIT 1A

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member
of the Board of Directors and/or Zoning Committee of the Ruxton-Riderwood-Lake
Roland Area Improvement Association.

Nancy Worden Horst

The Ruxton-Riderwood-Lake Roland Area
Improvement Association

ATTEST:

Jessie M. Whigga
Secretary

Patricia L. Zouck
President

DATE: 3-27-95

13

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member
of the Board of Directors and/or Zoning Committee of the Ruxton-Riderwood-Lake
Roland Area Improvement Association.

Henry Homes, III

The Ruxton-Riderwood-Lake Roland Area
Improvement Association

ATTEST:

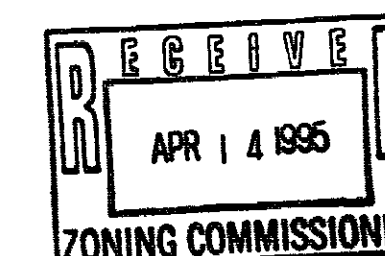
Jessie M. Whigga
Secretary

Patricia L. Zouck
President

DATE: 3-27-95

1C

Lake Roland Protective Association
6141 Barroll Road
Baltimore, Maryland 21209



January 11, 1991

Ms. Leila Griswold
1102 Hollins Lane
Baltimore, Maryland 21209

Dear Leila:

Since the 1992 Baltimore County Comprehensive Zoning Process is about to
occur, it is necessary for the Association to prepare for anticipated requests from
property owners such as Mrs. Barney to rezone from residential use to
commercial.

As president of the Lake Roland Protective Association I am obliged to draw
your attention again to the circumstance that the location of your business at 1102
Hollins Lane in a residential zone is in violation of the Baltimore County Zoning
law and regulations.

Since you have been a long time member of our Association, I am confident
that you are aware of the residential character of the place. The reason that the
residents of the area, which is part of the Ruxton-Riderwood-Lake Roland Area
Association, live here is their choice to reside in a strictly residential place. This
is why the undersigned moved here, forty five years ago.

As already alluded to the primary consideration for calling this matter to
your attention now is that the Baltimore County Comprehensive Zoning Process
for 1992 starts soon. It is necessary that any current precedent setting violations
of the code need to be remedied.

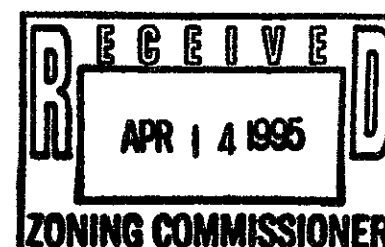
From our conversations I assumed that you were searching for a suitably
zoned location for the Center. The attachment to this letter indicates that you
have changed your intention.

I hope and am confident that you will resume your previously stated
intention of finding a location for your activity in a commercially zoned place.

Sincerely yours,

Edward Davens
President

Attachment



To whom it may concern:

The attached written testimony pertains to the zoning issue at 1102
Hollins Lane in Baltimore County. Most of this text was read at the
hearing on April 11, 1995, however, certain portions were deleted in the
interest of time and relevance.

Jane Lawrence
6137 Barroll Road
Baltimore, MD 21209

THIS MATERIAL PERTAINS TO THE
ZONING ISSUE AT 1102 HOLLINS LANE.
(HEARING: 4/11/95). COMMISSIONER KOTROCO
ASKED THAT I SUBMIT TWO ITEMS
FROM MY TESTIMONY ENCLOSED ARE
THOSE TWO ITEMS -

WITH MANY THANKS -

JANE S.B. LAWRENCE

7

Cars Observed at Leslie Brown's Office

Mondays: I have noticed cars early (at around 8:00), changing between 8:30 and 8:45,
then the next one coming at around 9:30 to 9:45 and so on until about 11:30.
Activity resumes mid-afternoon and continues through early evening. The last
car we noticed yesterday was a red hatchback with Maryland tags 704APL.

Tuesdays: There are different cars from 8:00 through about 11:00. I have repeatedly seen
white Volvo sedan, and I have also encountered this car on Hollins Lane. On
January 10, 1995, this car was seen at 10:40 A.M. Today (April 11, 1995), I
saw a dark blue sedan leave at 8:45 and a dark green or black sedan with tags
AYY 855 take its place. An aqua Ford Taurus Stationwagon was there
next, with tags 613ASX.

Wednesdays: There is very little activity on Wednesdays, although on April 5,
the aquamarine Taurus station wagon was there at around 3:00. There was
also a black sedan that day in the next time slot.

Thursdays: This is a very busy day. The earliest car is a dark sedan at 7:45, followed by
another dark sedan at 8:45. The third car is a gray Toyota pickup truck with
a male driver at 9:45. At 10:45, there is a black or dark blue sedan with tags
684ANS. The white Volvo sedan is there around 3:00, a red Volvo with
tags ASN396 at 4:00, and the red hatchback follows at 5:00.

Fridays: The earliest car is a white Toyota Camry with a female driver at around 8:00,
followed by another white Toyota with tags ALT804. Cars seen in the after-
noon are a tan Jeep Cherokee at 1:00 and a black Hatchback at 3:30.

Every person I saw entering or exiting a building was coming from the office, not the main
residence.

PETITIONER'S
EXHIBIT 7

Observations by Kathryn B. McConnell
January 10, 1995-April 11, 1995

JOHNS HOPKINS
UNIVERSITY

School of Hygiene and Public Health

Department of International Health
621 N. Washington Street
Baltimore MD 21205
(410) 955-3928 / FAX (410) 614-1419 or (410) 614-2353
Tele: 7102340022 PUB-HYG BAL
Cable Address PUB HYG
E-mail: mmorrow@phnet.sph.jhu.edu

Division of Health Systems

Richard H. Morrow, M.D.
Professor and Director

1201 Hollins Lane
Baltimore, 21209
April 10, 1995

Mrs. Sarah Lord
President Ruxton-Riderwood-Lake Roland
Protective Association
6134 Barroll Rd.
Baltimore, 21209

Dear Sarah,

Thank you for informing Mary and me of the court house
hearings. Unfortunately we cannot attend because of Mary's
hospitalization.

We share in the strong feelings expressed by members of our
neighborhood that it would be totally wrong and contrary to the
wishes of almost all of the people living in this area if there
were an exception made in the zoning to permit Dr. Leslie D. Brown to
conduct private practice out of her home at 1102 Hollins Lane.
Any business activity would open the area to other professionals
solo opening offices and the whole character of the neighborhood
would change. This includes any subterfuge such as saying that
patients are being seen without charging fees.

Thank you for representing us in this matter.

Very sincerely yours,
Carl S. Taylor
Carl S. Taylor M.D.
Professor Emeritus

PETITIONER'S
EXHIBIT 12

Sarah Lord
President
Lake Roland Protective Association
Dear Sarah,

April 7, 1995

There is no doubt 1102 Hollins Lane is
being used constantly as a professional office.
Our home is located to allow free visibility of the
lane, and we witness daily unfamiliar cars coming
and going. Many exceed the speed limit for safety
on such a narrow, quiet road. More than often, the
cars arrive and leave in succession indicating to us
that a group of people have met at the location.

These traffic patterns occur throughout the
day and evening.

The residents of Hollins Lane uphold and respect
the treasured atmosphere of this residential community
and maintain their professional office elsewhere.

Leslie Brown is abusing and is in violation of
the zoning laws of this area.

There is no reason that we can think of that
she should be granted a special exception in the
future. This property was sold to her with an explanation
of zoning restrictions.

PETITIONER'S
EXHIBIT 13
John S. Anthony
John S. Anthony
1110 Hollins Lane

1102 Hollins Lane
October 29, 1994

Dear Neighbors:

This weekend Chris and I met with Sarah Lord, representing the local community association, at the office of Herbert Davis, our realtor. The meeting was to address the fact that I have planned for a small, individual psychotherapy practice at my home.

When Chris and I contracted to buy 1102 Hollins, it was because the brochure from Piper, O'Conner & Flynn advertised the property as a place perfect for a small office such as I had planned. We were assured that the zoning laws allowed such a use. Our realtor double checked this matter with the Piper realtor, who informed us that a call to the zoning office had confirmed that an office was a permissible use. We later received additional reassurances of this fact. The current occupant, in fact, was seeing several clients a day, who came and went as we periodically visited the property.

Although we were aware that there had been significant neighborhood difficulties with Lelia Griswold's activities at 1102 Hollins, we believed it was due to her plans to make it a large group meeting center and due to her bringing unorthodox and noisy groups to the property.

We were very shaken to learn--after three quarters of our renovations had been completed--that the zoning information we had received was not fully accurate.

Because the letter Sarah recently circulated speaks of her concern for the neighborhood and because she says many of you

PETITIONER'S
EXHIBIT 14

1115 Hollins Lane
Baltimore Md. 21209
Nov. 6, 1994.

Dear Mr. and Mrs. Brown:

We have received and read your recent letter and of course have read Sarah Lord's recent letter. We too are fairly recent arrivals to this community, having moved here from Santa Monica Ca. in June 1983. Our choice of this location was based primarily on what we thought to be an ideal setting for our family with three young children. We do consider the lack of any traffic associated with business endeavors to be a real advantage of this locale and we do value the codes covenants and restrictions which insure the maintenance of that state of affairs. We are writing to you to convey to you the strength of our conviction to the status quo and trust that you will not feel compelled to apply for a variance with the county. We would be very concerned that the friction which would undoubtedly ensue would go a long way towards disrupting the relative tranquility which we now enjoy.

We find it particularly concerning that the representative of O'Connor, Piper and Flynn may have misrepresented the current status of the codes, covenants and restrictions which govern property use in our neighborhood. It would seem extremely shortsighted for a realtor to suggest doing something which would ultimately lower real estate values, particularly in an area in which the realtor in question has a significant market share. In view of the fact that O'Connor, Piper and Flynn handled both sides of the transaction at the time of our purchase of 1115 Hollins Lane, we intend to make our feelings known to them vis a vis their advice to you.

We trust that you will respect this expression of our feelings and our desire to maintain the status quo.

Sincerely,

Michael and Dory Tooke.

PETITIONER'S
EXHIBIT 15

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Chris and Leslie Brown
1102 Hollins Lane 21209

12 October 1994

Dear Chris and Leslie,

Again, Welcome to this leafy respite, our magical, old, by-way of a neighborhood.

While its surprising privacy is a delight, this sense of rural quiet is a product of hard work on the part of everybody who lives here. Zoning battles are a way of life. Years ago this neighborhood was slated to become the Jones Falls Expressway, once upon a time it was to be the location of the Streetcar Museum, later, to abut a bus tiffoughfare to Towson.

Recent battles have included the halting of a proposed Falls Road ramp onto the JFX, input into the construction of the new Falls Road Bridge over the stream and RR track, and the downsizing, under the bridge, of the new MTA light rail station -- from a magnet to a neighborhood facility. Current efforts include lowering Falls Road speed and its traffic accidents, and limiting the light rail parking lot to its present size.

The Lake Roland Protective Association (you are our newest members) solicits money only when we have our own legal fees to cover -- otherwise we encourage each other to stay current in our individual memberships in the Ruxton-Riderwood-Lake Roland Area Improvement Association, whose annual \$35 dues buys us matchless expertise and vigilance. (Many of your neighbors have served on the RLRAIA board over the years. Presently Bruce Boswell, 6201 Falls Road, is our area representative.)

As I mentioned, zoning battles are a way of life. The two houses at the corner of Falls Road and Hollins Lane are affectionately known as "Scylla" and "Charybdis." Scylla required that we go to zoning hearings year after year to fight off commercial re-zoning by its owner, Mrs. Barney. Eventually Mrs. Barney's daughter and son-in-law moved in as residents and are valued neighbors. Charybdis was beautifully improved by Robert Adsit, who subsequently sought to open an antique store hereabouts. Picturesque though that might have seemed, we all knew this was a domino we could not let fall -- and we were grateful when he and his partner opened their store in Hampden. John Stallings, the plumbing contractor who built his house on Hollins Lane, has met with resistance regarding any commercial usage at his residence, and he has kindly complied.

Your predecessor Lelia Griswold was not as understanding. We were obliged to wage legal battles to end her commercial activity.

Following Harry's chat with you, Chris, we became aware of the following:

PETITIONER'S
EXHIBIT 16

Chris and Leslie Brown
1102 Hollins Lane
Baltimore, MD. 21209

Saturday, 29 October, 1994

Dear Chris and Leslie,

Following up our meeting this morning, let me again state on behalf of the neighborhood that should you begin seeing any clients, as of Monday October 31 or in the future, at your residence 1102 Hollins Lane, this neighborhood association will be compelled to involve Baltimore County and the Ruxton-Riderwood-Lake Roland Area Improvement Association. The seeing of such clients is not permitted in a DR-1 zone, unless you first apply for and are granted special exception status to this residential zoning.

We welcome you whole-heartedly as new homeowners. If you and we are communicating openly and in good faith we can avoid ill feelings. Would you be kind enough to inform me this week of your intentions -- will Leslie see all of her clients elsewhere, or will she indeed be seeing some clients at 1102 Hollins Lane?

Sincerely,

Sarah
Sarah Fenno Lord, President
The Lake Roland Protective Association

Hand delivered 30 October 1994

PETITIONER'S
EXHIBIT 17

Wednesday, 11-2-94

Dear Neighbors,

Please plan to attend a very important meeting of our neighborhood, on Monday November 7 at 7:30 pm, at Lee and Sally Anthony's house.

Chris and Leslie Brown have recently purchased 1102 Hollins Lane. Mrs. Brown intends -- against the wishes of our community and expressly contrary to the property's DR-1 zoning regulations -- to treat a number of her psychotherapy patients at their residence.

The meeting will begin promptly. All association members have been invited, including the Browns.

Sarah

PETITIONER'S
EXHIBIT 18

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Leslie D. Brown, LCSW
C. Christopher Brown, Esq.
1102 Hollins Lane
Baltimore, MD. 21209

Wednesday, 9 November, 1994

Dear Leslie and Chris,

At the conclusion of Monday night's meeting, a motion was made that this neighborhood association request that you apply, within 10 working days of today's date, for a Special Exception to the zoning regulations governing your newly purchased residential property, 1102 Hollins Lane, and that at that time you send us a photocopy of your application. The motion was seconded and carried by those present (17 ayes, 2 nays, 2 abstentions) following Leslie's assertion that she has no intention of moving her psychotherapy practice, in its entirety, from the separate structure on your property to an appropriate location outside the neighborhood.

As you both know, Leslie's psychotherapy practice (which commenced the week of 31 October, 1994, at 1102 Hollins Lane, zoned DR-1) is in violation of the zoning laws which have protected this residential community for years. Business activity alters the quality of life in a strictly residential community, drives down property values and causes a change in the neighborhood. In our neighborhood in particular, additional traffic poses a safety problem, non-residential commercial traffic being especially hazardous.

Hollins Lane is so narrow a roadway that neighbors must pull their cars to the side to allow each other to pass. It most resembles a country lane, where the many young children who live here congregate to play, skate, ride bikes, sled or be walked in their prams. One of our neighbors regularly seen on foot is in her nineties and walks with a cane. As you know, the homeowners in this small cul de sac value this freedom of movement for our young children and grandchildren and we value it for ourselves.

As we said Monday night, friendliness is also a highly valued commodity here, and we are pained at your defiance of the zoning regulations and community wishes. It is unfortunate that you do not appreciate how vigilant our Falls Road neighborhoods must be to keep commercial development at bay. We have had to work tirelessly for many, many years to keep zoning laws in place, and we have had to abide by those laws to maintain the unique character of this neighborhood.

We continue to urge you to remove your business immediately from 1102 Hollins Lane. This neighborhood is prepared to undertake all legal measures necessary to ensure its strictly residential status. It would be helpful if you understand that our actions are not personal in nature, but reflect the importance we place on the serenity of this neighborhood.

Sincerely,

Sarah

Sarah Lord, President
The Lake Roland Protective Association

cc. Neighborhood families

PETITIONER'S
EXHIBIT 19

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

Arnold Jablon
Director, Office of ZADM
Room 109
111 W. Chesapeake Avenue
Towson, MD 21209

29 November, 1994

Dear Director Jablon,

The Lake Roland Protective Association (representing homeowners on Hollins Lane, Barroll Road and Copper Hill Road) hereby requests that the Baltimore County Office of Zoning Enforcement require that Leslie D. Brown, LCSW, cease her psychotherapy practice at 1102 Hollins Lane.

Mrs. Brown and her husband, C. Christopher Brown, Esq., purchased this residence (DR-1) in late October, following six months of renovations by them and the previous owner. They have been aware for some time that in this strictly residential community business traffic is unwelcome and a considerable hazard. Leslie Brown's psychotherapy business (operated out of a building separate from their dwelling, a renovated garage internally transformed to an office building) is 1) in violation of the Baltimore County zoning regulations, 2) not in character with the neighborhood, and 3) against community wishes.

Mrs. Brown has been seeing her psychotherapy patients at 1102 Hollins Lane since Monday, October 31, 1994.

Mrs. Brown has informed the neighborhood that she will continue to see her clients at her office at 1102 Hollins Lane. It is our understanding that the Browns have adapted the building for use as an office without obtaining all the necessary building permits. The Browns currently refuse to seek a special exception to their DR-1 zoning status. We therefore find it necessary to seek the speedy intervention of Zoning Enforcement.

Thank you for your assistance in this matter.

Sincerely,

Sarah Lord
Sarah Lord, President
The Lake Roland Protective Association
828-4355

cc. Dutch Ruppensberger
Douglas Riley
Peter Max Zimmerman

PETITIONER'S
EXHIBIT 20



Zoning Enforcement

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
410-867-3351

ZONING VIOLATION ASSIGNMENT RECORD

CASE NO. C-95-1046

ZONING:

LOCATION: 1102 HOLLINS LANE

NEAREST INTERSECTION:

ALLEGED VIOLATIONS: BUSINESS FROM RESIDENCE

() RFA () LETTER () IN-PERSON () PICK-UP FROM:

ASSIGNED TO: () K. CONNOR () G. FREUND () D. THOMPSON
() C. MCGRAW () L. WASILEWSKI (X) T. FITTS
() D. PROPALIS ()

ELECTION DISTRICT: 4TH

TAX ACCOUNT #

COMMENTS:

ACKNOWLEDGEMENT NOTICE

DEAR MS. LORD:

DATE: DECEMBER 9, 1994

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO THE CASE AND WILL VISIT THE LOCATION AS SOON AS POSSIBLE. SHOULD THIS MATTER BE SCHEDULED FOR A DISTRICT COURT TRIAL, YOU WILL BE NOTIFIED OF THE DATE.

ZONING ENFORCEMENT SECTION

TELEPHONE: 867-3351

PETITIONER'S
EXHIBIT 21



ZONING VIOLATION CORRECTION NOTICE

January 17, 1995

Christopher C. Brown
Leslie D. Brown
1102 Hollins Lane
Baltimore, Maryland 21209

Re: Case No. C-95-1046
1102 Hollins Lane
9th Election District

Dear Mr. and Mrs. Brown:

An inspection of your property, zoned D.R.1, has been made and it has been found that an apparent violation exists. According to Sections 101 "Home Occupation", 102.1, 1B01.1B, 1B01.1.C.9B of the Baltimore County Zoning Regulations, the correction(s) listed below is/are required:

1. Please cease the operation of a professional office, or petition for a special exception for such use at 111 W. Chesapeake Avenue, Room 109. Additionally, such office must be established within the same building as that serving as the professional person's primary residence.

The above-noted correction should be completed by February 17, 1995 or a citation may be issued to you imposing monetary fines of \$200 per day, per violation (Section 26-121, Baltimore County Code).

It is hoped that through your cooperation the alleged violation(s) will be resolved without the need for district court action.

If further clarification is necessary as to this matter, please contact the inspector indicated below at 887-3351.

INSPECTOR: Timothy L. Fitts

TLF/sh

c: File

cc: Mrs. Sarah Lord, President Lake Roland Protective Assn.

PETITIONER'S EXHIBIT 22

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.

P.O. Box 204
Riderwood, MD 21139
Tel. (410) 337-0792

Arnold Jablon, Esquire
Director, ZADM
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

February 3, 1995

Dear Mr. Jablon:

The Ruxton-Riderwood-Lake Roland Area Improvement Association would like to be informed of the current status of Zoning Enforcement Case # C-951046.

We have received ongoing complaints about the psychotherapy practice being conducted without a Special Exception for this use at 1102 Hollins Lane, 21209, the residence of Christopher Brown and Leslie Brown, LCSW.

Complaints from the residents of the Hollins Lane and Barroll Road area include the increase of hurried nonresidential traffic onto a very narrow residential road. Residents report an increase of trash on Hollins Lane.

Neighbors have stated that patients are being treated in a building separate from the residence. The building has apparently been converted to an office from previous use as a garage. We have received complaints that the conversion was made without permits or building inspections. The subject property is zoned DR-1. Neighbors have requested the property owners to confirm to legal use or seek the required Special Exception.

It is our understanding that the property owners have received a correction notice from Zoning Enforcement. The Ruxton-Riderwood-Lake Roland Area Improvement Association stand behind the complaint registered to Zoning Enforcement by the Lake Roland Protective Association. We believe that zoning regulations designed to protect use of properties should be strictly enforced.

Kindly advise us as to what the Ruxton-Riderwood-Lake Roland Area Improvement Association the Lake Roland Protective Association and neighbors of the property can do to support Zoning Enforcement in its action.

Very truly yours,

Laurie S. Long
Laurie S. Long
Executive Director

cc: C.A. Dutch Ruppersberger, Balto. County Executive
Councilman Doug Riley
Mr. Tim Fitts, Inspector, Balto. Co. Zoning Enforcement
Mr. James Thompson, Supervisor, Balto. Co. Zoning Enforcement
Mrs. Sarah Lord, Pres. Lake Roland Protective Assoc.

PETITIONER'S EXHIBIT 23

IN RE: XXXXXXXXXXXX SPECIAL HEARING ON ILLEGAL PROFESSIONAL OFFICE OF PSYCHOTHERAPIST, LESLIE D. BROWN, LCSW, IS D.R.-1 ZONE, WITHOUT A SPECIAL EXCEPTION

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-313-SPH (Item 305)

TO: LESLIE D. BROWN, LCSW
AND 1102 Hollins Lane
SERVE ON Baltimore, MD 21209

SUBPOENA AND SUBPOENA DUCES TECUM

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 118, Old Courthouse, 400 Washington Avenue, Towson, MD 21204 at 2:00 p.m.

and to bring [see attached list of subpoenaed documents and records]

on the 11th day of APRIL 1995, regarding the above captioned case, for the purpose of testifying at the request of The Lake Roland Protective Association, Inc. and of The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

Sarah F. Lord
Sarah F. Lord

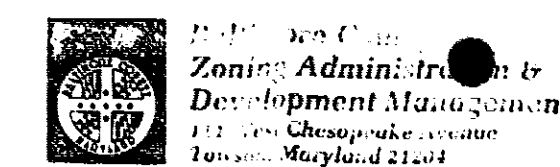
XXXXXXXXXXXX Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

PETITIONER'S EXHIBIT 24

Issued: April 6, 1995

John L. Zouck
John L. Zouck
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County



receipt

Date 3/8/95

Account #0016150

Number

305

305

The Lake Roland Protective Assoc.
The Ruxton-Riderwood-Lake Roland Area Improvement Assoc.
1102 Hollins Lane

030- Special Hearing - \$50.00

advertising - \$0.00

Total - \$50.00

Please Make Checks Payable To: Baltimore County

\$50.00

Cashier Validation

PETITIONER'S EXHIBIT 25

Insp. April 6, 1995
Case # C-95-1046

1102 Hollins Lane

Three Cars Observed:

① Black Honda Accord
Tag # AVY 855 8/96

② Gray Honda Accord
Tag # RCH 716 1/96

③ Green Saab 900s
Tag # ZSA 284 4/97

I observed a forth vehicle entering the premises at approx. 9:43 am.
Tag # 1CB 398 / Blue Toyota Truck.
Also I observed a the Black Honda Accord tag # AVY 855 that was on premises leaving departing at approx 9:46 am.

PETITIONER'S EXHIBIT 27

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

Arnold E. Jablon, Esquire
Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Director Jablon:

Following Zoning Enforcement's Zoning Violation Correction Notice of 1/17/95 to Leslie D. Brown, LCSW (Case C-95-1046, Inspector Timothy Fitts) and Mrs. Brown's refusal to comply, our association is compelled to petition for a special hearing before the Zoning Commissioner.

We would be most grateful for your office's assistance in this matter. We hope, given the facts of the case and Mrs. Brown's defiance of Baltimore County Zoning Regulations, that you will urge the Commissioner to grant our community association, represented by counsel, a hearing. We are hoping for a hearing at everyone's earliest possible convenience.

Any assistance you can render in the preparation of this case we will very much appreciate.

Sincerely,

Sarah F. Lord
Sarah F. Lord
President
(410) 828-4355

SL/11995

PETITIONER'S EXHIBIT 29



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1102 Hollins Lane, 21209 which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned hereby petition for a Special Hearing under Section 500.6 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner

shall find that the property known as 1102 Hollins Lane is being used as a professional office (by psychotherapist Leslie D. Brown, LCSW) without benefit of special exception and/or special hearing being granted

are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Connect Purchase License

Type or Print Name

Signature

Address

City

State

Zip

Agency for Petitioner

Type or Print Name

Signature

Address

City

State

Zip

Protestant

Sarah F. Lord, President

THE LAKE ROLAND PROTECTIVE ASSOCIATION

Sarah F. Lord

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.

Patricia L. Zouck

6134 Barroll Rd., Baltimore, MD 21209

City

State

Zip

6134 Barroll Rd., Baltimore, MD 21209

City

State

Zip

PETITIONER'S EXHIBIT 30

THE LAKE ROLAND PROTECTIVE ASSOCIATION

6134 Barroll Road
Baltimore, Maryland 21209

March 3, 1995

The Honorable Lawrence E. Schmidt
Zoning Commissioner
Baltimore County Office of Zoning Administration
400 Washington Avenue, Room 112
Old Courthouse
Towson, Maryland 21204

Dear Commissioner Schmidt:

On January 17, 1995, Zoning Inspector Timothy Fitts advised Leslie D. Brown, LCSW, that she was in "apparent violation" of "Sections 101 'Home Occupation', 102.1, 1B01.1A, 1B01.1.C.9B of the Baltimore County Zoning Regulations."

Inspector Fitts advised Mrs. Brown and her husband C. Christopher Brown, that they must "cease operation of a professional office or petition for a special exception for such use..." [which office] must be established in the same building as that serving as the professional person's primary residence.

Inspector Fitts further noted that Mrs. Brown's "correction should be completed by February 17, 1995, or a citation may be issued... imposing monetary fines of \$200 per day, per violation..."

This Association hereby petitions for a Special Hearing before the Zoning Commissioner regarding this matter (C-05-1046). We think it appropriate that fines of \$200 per day per violation be imposed on Leslie Brown, beginning October 31, 1994 (when she knowingly and improperly initiated her psychotherapy practice at her residence, 1102 Hollins Lane).

We unhappily note that Mrs. Brown:

- 1) continued unabated and still continues to treat her psychotherapy patients daily at 1102 Hollins Lane, zoned DR-1.

PETITIONER'S EXHIBIT 31